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Consideration of reports submitted by States Parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Initial and second periodic report of States Parties

Albania*

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INTRODUCTION

The Government of Albania submits its initial and second report (combined report) to the United Nations Secretary - General in compliance with the obligations of the country as a signatory of, and therefore State Party too (Article No. 18 of Convention), the Convention on the Elimination of All forms of Discrimination against Women (from here after 'the Convention') as of 1993, year of ratification of the Convention (Law No. 7767 of 09.11.1993).

The present report provides in PART I a summary of the political and social-economic situation of women in Albania, of the current constitutional, legislative and administrative measures taken for the elimination of discrimination of woman, and the programs established since the ratification of the Convention (1994-2000).

The report in PART II contains article by article the analysis of the implementation of the CEDAW in Republic of Albania.

PART I

GENERAL BACKGROUND TO THE IMPLEMENTATION OF THE CONVENTION

CHAPTER I
OVERVIEW OF ALBANIA

1. Land, People and Economy

1.1. The land

The Republic of Albania is located in the Balkan Peninsula, bordering Greece on the South, the Republic of Macedonia (FYROM), on the East, Montenegro and Kosova on the North and Adriatic and Ionic seas to the West and Southwest. The national territory covers 28,748 km^2, of which nearly 30% lies more than 1,000 metres above sea level. Two third of the territory is made up of the hills and mountains, whereas the plains, with an altitude up to 300 m above sea level, comprise the reminder. The total longitude of the border is 1094 km, from which 316 km are seaboard, 657 km are terrestrial, 48 km are fluvial and 73 km are lacustrine.

Albania has in total 2.875.000 ha land, from which 24 % (699.000) ha are arable land, 36% (1.027.000 ha) are forestry, 1% (446.000 ha) are pasture and 25% (703.000 ha) are different types.

On the coastal plains, the climate is Mediterranean with dry and hot summer and moderately cold and wet winter. The annual rainfall varies from about 1,000 mm in the lowlands to 3,000 mm in the uplands. About 90% of rains fall between October and April. As a result droughts are frequent in summer while mountain areas are often cut off the winter.

1.2. The People

The Albanian population is 3.182.417 inhabitants (according to the registration of 1989), with the density 115.8 inhabitants per km2. From this registration came out that there are 1.638.074 males (51.5%) and 1.544.343 females (48.5%). 1.137.562 inhabitants (35.7%) live in the urban areas and 2.044.855 inhabitants (64.3)%) live in rural areas.

The Albanian population is ethnic homogeneous. According to the registration of the year 1989 only 2% of the population (or 64.816 out of 3.182.417 inhabitants) were of different nationalities: Greek, Macedonian and Montenegrin.

In Albania live together peacefully two religions: Islamic and Christians, with four main religious communities, Muslim, Bektashian, Orthodox, and Catholic. From 1967 till 1991 the religion was prohibited.

The Albanian language is the official one.

During the period 1950 to 1980, Albanians grew at a rate of 2.4% due to a prenatal policy and to the absence of emigration. Between 1950-1990 the number of inhabitants almost tripled, moving from 1,215,000 to 3, 356,000. According to INSTAT, since 1991 the natural growth rate decreased to 1,9% as a result of a sharp reduction in the birth rate, resulting from new economic uncertainties, the availability of contraceptives and to emigration flows.

The population is predominantly rural. In 1998 people living in rural areas were 64.5% of the population and by 1996 the rate lowered to 56%. Up 1979 the average yearly rate of population is slightly higher for men, 2.35% as compared to 2.25% for women, while the years 1990-1998 see an annual population growth of 6.51% for women and negative growth rate for men — 2.11%.

The age pyramid reflects a young population: in 1997 young people under 20 years of age represented 41.7% of the population as compared to 20-25% of neighbouring countries.

Life expectation at birth is estimated to be over 74 years for women and over 68 years for men. There is some indication that life expectancy for both men and women has fallen slightly, after reaching its historic peak in the 1980s.

The total fertility rate lowered from 7 children per women in 1960 to less than 2.6 children per women in 1995 and 2.5 in 1997. Fertility is about 25% higher in rural than in urban areas.

Infant mortality rate (per 1 000 births) has decreased in 1998 (20.5/1,000 live births) as compared to the period 1987- 1997. In 1996 the number of male live births was 35 thousand or 51.4% of total live births, while female live birth was 33 thousand or 48.6% of total live births.

Women still marry rather young, even though mean marriage age is increasing, from a mean of 21.8 years of age in 1950 to 23 years of age in 1990, while it has remained stable for men (27 years of age). Arranged marriages are still common and upon marriage the wife moves to the husband's family.

Under the previous regime, emigration was almost entirely prohibited. Although, during the last ten years there were a lot of emigration flows non-documented mainly to Greece, Italy, Germany, USA and Canada. However, estimates of the Ministry of Labor, Emigration and Social Affairs put it at about 600 000 in the period 1990-1997. Albanian emigrants in Greece are estimated to be roughly 400.000, out of which 160.000 are women, while in Italy are emigrated 150.000 persons, out of which 30% are women.

1.3. The economy

Albania showed an impressive record in the early years of its transition. The recovery of economic growth started in 1993, after a steep decline in 1989-92, and continued through 1996 (please refer to statistical annex table 1). The annual average inflation rate was reduced from 226% to single digits 6 % in 1995. Economic growth was initially driven mainly by the recovery in agriculture and services, as well as by remittances from abroad, as industry did not recover until 1996. Albania inherited from its communist period an industrial sector that was obsolete and inefficient. By 1994 its contribution to GDP has fallen to 12,4% compared with 37,2% in 1990 (when GDP was 25% bigger than 1994). In real terms industrial output in 1996 was only 26.5% of that 1989. The decline bottomed out in 1995 and growth would have continued but for the disorders of the first half of 1997. These structural changes in GDP brought changes in the structure of labour force and employment. Industrial employment fell drastically from 22 per cent in 1991 to about 8 per cent in 1996; the agricultural and services sectors experienced an increase but not sufficient to compensate for the fall industry. As a result, emigration and unemployment appeared, this latter reaching its peak in 1993, with 22 per cent of the active labour force.

In 1997 Albania descended into near anarchy following the collapse of the pyramid scheme. Total liabilities are estimated at almost 50% of GDP. The pyramids scheme can be attributed to a variety of factors: first of all the financial sector was rudimentary and unable to satisfy private sector demand for credit and as a consequence an informal credit market based on family ties and financed by remittances grew. Secondly, the regulatory framework was inadequate to guarantee savings and it was not clear who had the responsibility for supervising the informal market.

The return of relative stability in 1998 permitted output to recover; output is estimated to have grown by 8% led by strong growth rates of about 20% in the construction and transport. The percentage of the agriculture in economy remains in 54% in 1998 but the average farm size of 1.5 hectares severely limits the scope for further efficiency gains.

The Government is constrained in its pursuit of macroeconomic stabilization by the need to provide for a population that has been reduced to considerable poverty, defined in terms of low income and/or consumption due to limited job opportunities and low incomes particular in rural areas. Poverty in Albania manifest itself also in limited access to and poor quality of basic services likes education, health care, water and sewerage. Access levels for electricity are high, but there are also frequent disruptions in the service during the winter months.

2. History, Politics and Administration

2.1. History

The Albanian people are believed to be autochthonous to the Balkan Peninsula. The ancient ancestors of the Albanian people were the Illyrians, who are tracked back through the second millennium BC. The Illyrians came under Roman domination for a period of five and a half centuries. Following the Roman period, regions of Albania came at various times under the domination of the Byzantine Empire, The Norman's, the Serbs and the Venetian.

In the middle Ages, a high point of national unity and identity came during the period of Albanian's national hero, prince Gjergj Kastrioti Skanderberg. Through the XIV century, for about 25 years Skanderberg unified the Albanian nation and successfully resisted the attacks of the Ottoman Empire.

By the beginning of the XV century, all of Albania came under Ottoman rule and remained there for the following five centuries. Albania won its national independence in 1912 and new borders were drawn (in which Albania lost Kosova and some southern parts).

A parliamentary government was established until 1928 when it became monarchy under King Zog I. The king reigned with Italian support till 1939 when Italian military forces invaded the country. Italy's occupation ended in 1943 and Albania came under German occupation till the end of 1944. The victory of antifascist front at the end of Second World War, ranked Albania in the winner side. The Communist regime was established and it had the power for the next four decades.

During the years 1945-1948, Yugoslavia was the foreign power that exercised the greatest influence in Albania, then replaced by USSR until 1960 and then by China until 1978. From 1978 until the late 1980s the country was almost entirely isolated from the international community. Throughout this period, the government maintained total and direct control over all aspects of economic, social and intellectual life.

From the time that the Communist regime was established in 1945, Enver Hoxha, First Secretary of the Albanian Labor Party until his death in 1985, held the political authority. Ramiz Alia, member of the party since the early 1940s, succeeded him.

From mid-80s economic conditions deteriorated and from late 1980s the Government began a gradual process of liberalization and contact with other countries. By 1989-1990 further deterioration in the economic conditions gave raise to public protest and to undocumented emigration flows to Greece and Italy.

The first multi-party elections were held in March 1991. The Government Party, Socialist Party of Albania won with the support of the rural population, while the urban population voted for the Democratic Party. Albania adopted new Constitutional Provisions and a process of liberalization and opening to other countries. A new wave of strikes in May-June 1991 led to the formation of a new Government of Stability with the participation of the Opposition parties. The coalition Government functioned till November 1991 when the Democratic Party withdrew its support and a technical Government was created. New elections were held in March 1992 with the victory of the Democratic Party. The Democratic Party won also the elections of 1996, but its life was short as a result of the pyramid scheme crisis at the beginning of 1997. A National Reconciliation Government lead the country to new elections in June 1997, won by the left coalition led by the Social Party.

2.2. Politics

Although a large number of political organizations are active in Albania, many of them have fallen short of the 4% threshold for party representation in the Parliament. The 1998 Constitution lowers the threshold to 2.5% for parties and 4% for coalitions. The Parliament has been dominated since the fall of Communism by a by-polarity of the Socialist Party of Albania and the Democratic Party. Each major party heads a group of minor parties: the Alliance for State comprises the Socialist Party, the Democratic Alliance, the Socialist Democratic Party, the Agrarian Party, the Union for the Human Rights and the National Unity Party. The Union for Victory includes Democratic Party, Monarchist Party (LM), the Republican Party, National Front Party (NFP), Legalist Movement Party, Social Democrat Union, etc.

2.3. State

Albania is a Parliamentary Republic. The Republic of Albania is a unitary state (article no.1 of Constitution). The system of Government in the Republic of Albania is based on the separation and balancing of legislative, executive and judicial powers (article no.7 of Constitution).

1. The Legislative Power

The legislative power belongs to the Assembly of People. The Assembly of People is with one room and it comprises 140 members elected every four years. 100 MP-s are elected directly by the people in single member electoral zones and 40 are elected from the multi-name list of parties or party coalitions (article no.64 of Constitution).

Elections for the People's Assembly are held 60 to 30 days before the end of the mandate and not later than 45 days after its dissolution. The Mandate of the Albanian People's Assembly continues until the first meeting of the new Assembly. In this interval the People's Assembly may not issue laws or take decisions, except when extraordinary measures have been established. (Article 65 of the Constitution)

Every citizen who has reached the age of 18, even on the date of the elections, has the right to elect and to be elected as a deputy (article 45 of the Constitution). Without resigning from duty, the following categories may not run as candidates nor be elected as MP-s: a) judges, prosecutors; b) military servicemen on active duty; c) staff of the police and National Security; d) chairmen of municipalities and communes as well as prefects in the places where they carry out their duties; dh) chairmen and members of the electoral commissions; e) the President of the Republic and the high officials of the state Administration contemplated by law (article 65 of the Constitution). An MP may not be criminally prosecuted without the authorization of the Assembly (article 73 of the Constitution).

The Council of the Ministers, every deputy or 20.000 electors each has the right to propose project-laws to be discussed in Assembly. Some important laws, like the Election Law, need to be approved by three-fifths of all the members of the Assembly. The Law enters into force after the President sings it and the publication in the Official Magazine (article 81 of the Constitution).

2. The President of Republic of Albania

The Head of State is the President of the Republic, who is elected by the Assembly by a majority of three-fifth of all its members for a five years mandate. When this majority is not reached even after five rounds of voting, the Assembly is dissolved. The new Assembly elects the President with the same majority as in the first one. If even the new Assembly does not reach this majority, the Assembly is dissolved and the President will be elected from the subsequent Assembly by a majority of all its members.

When the President of the Republic is temporarily unable to exercise his functions or his place remains vacant, the Chairman of the Assembly takes his place and exercises his powers (article 87 of the Constitution).

The President exercises the main functions of the Head of State: sets the date of the general parliamentary elections; exercises the right of pardon according to the law; nominates the Prime minister and ministers; nominates and confirms the judges; accepts letters of credentials of the diplomatic representatives; signs international agreements (article 92 of the Constitution), exercises the right of the legislative initiative and gives the right for political asylum. The President of the Republic has the right to return the law for review only once (article 85/1 of the Constitution).

3. Executive Power

a. The Council of Ministers

The Council of ministers is the highest body of the executive government and it consists of the Prime Minister, deputy Prime Minister and ministers. The Prime Minister is the Head of the Council of Ministers. He is appointed by the President of the Republic at the beginning of a legislature on the proposal of the party or coalition of parties that has the majority of seats in the Assembly. The ministers are appointed and dismissed by the President of the Republic on the proposal of the Prime Minister. The Council of Ministers defines the principal directions of the general state policy. It takes decisions upon the proposal of the Prime Minister or the respective minister. The Council of Ministers, in cases of necessity and emergency, may issue acts having the force of law for taking temporary measures. These acts are immediately submitted to the Assembly, and if the Assembly does not approve them within 45 days they lose force retroactively.

b. Local Government

The units of local government are communes, municipalities and regions. (Law no.8652, 31.07.2000 "Organization and functions of the local government"). The Republic of Albania is divided in 12 regions, 65 municipalities and 309 communes. Each commune, municipality or region has its own local governmental bodies. The executive organ of a municipality or commune is the Chairman, who is elected directly by the people and with secret voting. The Council is elected in the same way, which is the representative body of the unit of local government. The prefect is the representative of the government in the region.

The article 13 of the Constitution provides for the decentralization and the autonomy of the local government. Article 108-115 of the Constitution provide for the right of the local government to administer in an independent manner the income created and to issue orders and decisions with general obligatory force for the unit.

4. Judicial Power

The judicial power solves the disputes related with the interpretation and implementation of the laws. The High Court, as well as the Courts of Appeal and Courts of First Instance exercise the judicial power. The courts exercise three types of jurisdiction: civil jurisdiction, penal jurisdiction and administrative jurisdiction.

High Court has original and review jurisdiction. It has original jurisdiction when adjudicating criminal charges against the President of the Republic, the Prime Minister,

members of the Council of Ministers, MP-s, judges of the High Court, and judges of the Constitutional Court (article 141 of the Constitution). It has review jurisdiction in those cases when it examines the complaints against the decisions of the first instance and appeal's courts. The High Court consists in civil, penal and military colleges and it has 17 judges appointed by the President of the Republic with the consent of the Assembly, for a 9 years mandate without the right of re-appointment.

The Court of Appeal is a court that examine in a second grade all the issues judged by the Courts of First Instance, which are complained by the parties. In these cases three judges compose the court. The Court of Appeal judges the issue in general and it is not limited only within the reasons presented in complain.

The Appeal's Courts are established in the regions appointed by the President of the Republic on the proposal of Minister of Justice and with the consent of the High Council of Justice. Actually there are six Appeal's Courts established in the following districts: Tirana, Shkodra, Durres, Korçe, Gjirokaster and Vlore. The total number of the judges in these courts is 52. The judges of the Appeal's Court are appointed in their position by the President of the Republic on the proposal of the High Council of Justice.

Courts of First Instance is established in every judicial district (their total number is 29 and actually there are 293 judges working there). Their competence is widespread all over the districts, which they belong to. Only one judge realizes the trials, but in different judgements it may be organized trials in college consisted by three judges.

Military Courts consist of the military courts of first instance and of the appeal's ones. Actually, although it is foreseen in the law, courts near the judicial districts exercise the functions of the military courts of first instance. While the military court of appeal exercise its functions on its own (the headquarter is in Tirana city).

High Council of Justice: it consist of the President of the Republic, the Chairman of the High Court, the Minister of Justice, 3 member elected by the Assembly and 9 judges of all levels elected by the National Judicial Conference and it stays in office for 5 years. The Council decides on the transfer of judges as well as their disciplinary responsibility pursuant to law.

Office of the Prosecutor: it exercises criminal prosecution and represents the State in court. The General Prosecutor is appointed by the President of the Republic with the consent of the Assembly (articles 148 and 149 of the Constitution), and may be discharged by him upon the proposal of the Assembly. In the exercise of their powers, the prosecutors are independent and subject to the Constitution and the laws.

High State Control: It supervises the economic activity of State institutions, the use and preservation of State funds by the organs of central and local government and the economic activities of legal persons in which the state owns more than half the quotas or shares (articles

162-165 of the Constitution). The head of High State Control appointed and dismissed by the Assembly on proposal by the President of the Republic for 7 years.

5. Constitutional Court

Constitutional Court is subject only to the Constitution. It has full organizational, administrative and financial independence to carry out the appointed duties by Constitution and law.

The Constitutional Court is composed by 9 members (lawyers with high qualifications and with at least 15 years work experience), which are appointed by the President of the Republic with the consent of the Assembly for 9 years without re-appointment.

In order to execute its power, the Constitutional Court is put into motion only on request of the President of the Republic, the Prime Minister, not less than one-fifth of the deputies as well as the Chairman of High State Control. Also it may put into motion by People's Advocate, organs of local government, organs of religious communities; political parties and other organisations when they argue that the issue is related with their interests as well as every judge when during the examination of the issue he finds that a law comes into conflicts with the Constitution or the international agreement ratified from the Republic of Albania.

The Constitutional Court has these main functions: interprets the Constitution and laws, judge the incompatibility of the acts and provisions, of the international agreements, as well as the incompatibility of laws with the acts of the international law and the agreements in which the Republic of Albania is partner.

CHAPTER II

LEGAL, POLITICAL AND ADMINISTRATIVE MEASURES ADOPTED TO GIVE EFFECT TO CEDAW

II.1. Legal Framework within which Human Rights are Protected

Article 3 of the Constitution states that "... human rights and freedoms stand on the bases of this State, which has the duty of respecting and protecting them", while Part II (articles 15 to 58) provides for the protection of civil, political, economic, social and cultural rights in the Republic of Albania.

Article 116 foresees that international ratified instruments are second only to the Constitution and prevail over not compatible national laws (article 122(2). Albania acceded in the 1990s to the six main UN Human Rights instruments and other regional human rights conventions. According to article 180(1), international agreements ratified before the 1998 Constitution came into force are considered ratified to it.

Moreover, article 60 to 63 of the Constitution establishes the People's Advocate (Ombudsman) to defend individuals' rights and freedoms from unlawful or improper actions or failure to act of the organs of the public administration. Each person, group or non-governmental organization representing those who claim to have had their human rights violated according to law, have the right to forward a complain and to request intervention for redress, after having pursued every possible legal avenues. After investigation, the People's Advocate may: dismiss the case; present recommendations to the bodies to rectify the violated rights; recommend an investigation of the public prosecutor or recommend the dismissal of the guilty officials.

The Office of the People's Advocate has been established in late Spring 2000 and complaints forwarded to date relate to enforcement of judgements, ownership, freedom of press and alleged police brutality.

The authority and functions of People's advocate are determined in the constitutional provisions, in the law for People's Advocate, and in the internal Regulation of Ethic Code of the Institution, assisted by international experts as well.

II.2 The Protection of Women's Rights by the Institution of People's Advocate (Ombudsman)

Few of complains to this institution are done by women. Those cases have not been for the violation of human women rights or their discrimination because of sex, but they have mainly been against the administrative procedures of the tribunals, or other questions flew by specific relations.

People's Advocate has close relations with NGO-s according to the law "For People's Advocate", taking in consideration periodically their views on the situation of human rights and freedoms. In this framework, it has offered the collaboration to NGO-s dealing on human rights explaining the functions and the strategy of the institution of People's Advocate.

A particular offer has been done to each NGO-s dealing with the protection of women rights.

II.3. Incorporation of the CEDAW Convention in the Domestic Legal System

The procedure for the incorporation of international conventions in the Albanian legal system is provided for in the Constitution article 121 to 123. International agreements are ratified by the majority of all the members of the Assembly and constitute part of the internal legal system after promulgation by the President of the republic and publishing on the Official Journal. Albania ratified the Convention on the Elimination of All Forms of Discrimination against Women with Law No. 7767 of November 9,1993. As mentioned above, according to article 122(2) of the Constitutional, the convention prevails over national laws not compatible with it. In accordance with this hierarchical principle, all previous legislation must be reviewed to eliminate any provisions that may be contrary to the provisions of the Convention.

II.4. National Machinery for the Protection of Women's Rights

National Mechanisms for the women development

1. State Committee Woman and Family — Committee for Equal Opportunities.

The national mechanism for the protection and promotion of women's rights underwent substantial changes since its birth in 1992. In July 1998 the Council of Ministers upgraded the Department Women and Family to the Council of Ministers level; the Chairperson of the Committee report directly to the Deputy- Prime Minister and the Committee's budget is part of the budget of the Council of Ministers.

1992 Woman and Family Sector, in the Ministry of Labour, Emigration and Politic Ex-persecuted
1994 Department of Woman and Family in the Ministry of Labour, Emigration and Politic Ex-persecuted
1996 State Secretariat in the Ministry of Culture, Youth and Women;
1997 Department of Woman and Family in the Ministry of Labor, Social Affairs and Woman;
1998 Committee Woman and Family, under the Council of Ministers with Decision No. 415, date 01/07/1998
2001 Committee Woman and Family by the Decision of the Council of Ministers change the name in Committee For Equal Opportunities.

The responsibilities of the Committee Woman and Family (Council of Ministers decision 415 of 01.07.1998) are the implementation of governmental policies for women and family issues, the co-ordination of programs for the promotion of equality between men and women in the central and local level, the implementation and evaluation of governmental programs on women and family, the proposal of new legislation and/or amendments to existing legislation on children's and women's rights in compliance with international standards, the support and coordination of NGO activities in the field of women's and family's rights.

2. The Activities of Women and Family Committee

The objective of Committee is the realization of the National Platform for Women (Council of Minister Decision N.267/03.06.1999). Furthermore, the Committee is working on the setting up of an effective information system to monitor progress countrywide, through the network of focal points appointed in the local government and on the promotion of affirmative actions to be decided by relevant organizations (Parliament, ministries, Local Government). The strategy of Committee is based on CEDAW, on the Beijing Platform for Action and on the National Platform for Women (Council of Minister Decision N.267/03.06.1999).

This latter instrument provides for, among others:

- Increasing women's participation in governmental institutions, in the judiciary and in the public administration;
- Processing information and encouraging gender related research;
- Increasing women's awareness on their social, economic and cultural rights;
- Improving existing legislation regarding women's advancement;
- Improving the networking between non-governmental and governmental institutions on gender issues.

3. Parliamentary Subcommission on Youth and Women

In May 1994 a parliamentary Women's Group was established, then transformed after the general election of 1997 in Sub-Commission for Youth and Women. Its activity hasn't been visible. None law on women issues has been proposed approved or improved since it was established.

4. Women's Forum of the Political Parties

In Albania there are created and exercise their activities the following women's forum of the political parties:

1) *The Forum of the Socialist Women of Albania (FSWA)*

It was established on June of 1992 and is an NGO. It is related and supports the alternative of the Albanian Socialist Party. This forum has it branches in 36 districts of the country and 30 000 members and fellow traveller approximately. It is engaged against discrimination between sexes, opinions, ethnicities etc. The FSWA works to: guarantee the dignity of women's status in every field of life, establish the gender equality especially the real application of the freedoms and rights of women, protect and improve the Albanian family and the status of women within the family.

2) *The Forum of the Democratic Women of Albania*

The Forum of the Democratic Women is a women's organization related and supports the Democratic Party.

3) *The Forum of the Republican Women of Albania*

The Forum of the Republican Women is an organisation that has spread its activity within the Republican Party. The first Congress of this forum was held on 12/11/1993. In this Congress were elected the executive bodies. 11.5% of the total members of the Republican Party participate in this forum. During its activity this forum has support the politics of the Republican Party and gender politics.

4) *The Forum of the Social-Democratic Women of Albania*

The Forum of the Social-Democratic Women of Albania is a political and social body that supports the alternative of the Social-Democratic Party of Albania. This forum is an independent institution on carry out its organizational and social-cultural activities.

The highest body of forum is the Congress that establishes the policy of the forum according to the fundamental principles of the Social Democracy. The forum, after had done a big work to create its branches all over the country, organised on 23-24 of June 1995 the First National Conference. This Conference established this forum, elected its executive bodies, approved the programmes and the statute as the main materials where all the activity of the organisation will be supported. On 03/09/1996 in New York (USA) the Forum of Social –Democratic Women was accepted as a member with the full rights of the Socialist International. This forum works for a society where everybody may develop freely its personality, respect the equal opportunities to work and contribute and to be able to admit the responsibilities "together".

5) *The Forum of the Demo Christian Women*

In this forum participate all the Demo Christian women and supports the program of the Demochristian Party.

6) *The Movement of Liberal-Democratic Women*

It is created as a women's organisation to support and help the participation of women with liberal-democratic opinions in politics. It supports the program of the Democratic Alliance Party.

7) *The Forum of the Union of Human Rights' Women*

Members of this forum are women of other minorities that live in Albania. It works to protect their rights in the framework of the Union of Human Rights Party.

5. Non-governmental organizations and Women's associations

The association movement in Albania is governed by the provisions of the Civil Code (Law. NR. 1994) from article 39 to 63. A new legislation for associations and foundations is at present being considered.

About 100 national associations and NGOs focused on gender issues are registered in the District Courts. Their range of activities very from family planning to leadership, to legal protection and counselling, to sensitization on gender discrimination, to domestic violence.

The Independent Forum of the Albanian Woman was founded on September 1991 as a non-governmental, non-religious and non-profit spread all over the country. The goals of this organization are: the protection of the women's rights, to raise of their awareness of their own rights and role in the

family and society, the disagreement and exploitation, the racial and religious differences etc. the IFAW had implemented a lot of projects on the issues mentioned above.

The Albanian Family Planning Association, founded on January 1993 as a non-profit organization, is one of the main associations that work to improve the rights of the reproductive health in Albania, including the family planning. Inside it works a youth group named "Youth Group" and two trainers one. Through three centres of the family planning set up in Tirana, Durres and Lezha, they offer free consultations and services on family planning. While, since was set up the Women Center in Vlora on 1998, they offer legal and psychosocial advices. This Association has published a lot and important publications. There is a very rich library near this association.

The Women Network "Millennium" and the Albanian Woman Federation work on women and children's rights, promotion of health, creation of a network of women's NGO-s and collaboration between them. They have a lot of experience in relation with the activities that they organize to promote the participation of women in the political decision making process.

The same success has the women's NGO "Useful to Albanian Women". This NGO is focused on trainings in the employment issues, on the economic help for women and children in need, and on the prevention of the traffic of human beings etc.

The group of Vlora's NGOs called "Vlora Woman Hearth" is working in collaboration with governmental institutions to improve the legal framework related with the traffic of human beings.

Advocacy Women Center was founded on November 1997 and offer free advises and assistance in the court for abused women and women that can't have legal assistance in other ways.

One of the first organizations founded in Albania is "Reflexions" focused on the protection of women against violence (a lot of projects are transformed in successful NGOs like "Women's Center" that offers trainings and information on women, "Counseling Line for Abused Women" and the setting up of the shelters for them). For the first time in 1995, the violence was treated in an awareness campaign that "Reflexions" organization carried out. The partial data show that over 63.7% of married women are abused psychologically, physically or sexually and from non-direct reports they show that only 5% of these cases are reported. The opening of the first centre of women that have been violated (on December 1998) in Albania is an example that shows the need for institutions of this nature to protect the victims of the violence.

The Albanian legislation is not discriminatory against women. Although, different fields need to be revised and to be fulfilled, especially those field that has to do with the heredity of land, the exercise of children's rights, violence within the family and reproductive rights. For this reason a group of NGOs that work on women and girls' rights in collaboration with the legal experts from the State are discussing as an emergent need the New Family Code. Besides the improvement of the law and legal status of women, the women's organisations offer legal assistance for abused women.

Concerning to the human recourses management, the women's NGOs, compared to the other types of non-governmental organizations, have reached a proudly level of the voluntary work. In this case we have to take into consideration that the voluntary work asked by NGOs very often is compared with the voluntary work that the people were forced to do during the communist regime. For this reason 36% of the people have no desire to work voluntarily in NGOs.

Regarding to the financial resources, in general the women's NGOs survive through the projects financed by local and foreign donors. The financial contributions from the members are almost negligible because of the economic poverty. The lacks of the legislation, which will allow the NGO to sell its services to cover their costs, increase the dependence from the donors. There some cases when the donors themselves lead the projects of women's NGOs.

The membership of NGOs, in general is more qualitative then quantitative, but the emigration of educated women is influencing in a negative manner, because it damages the quality of the members.

The general trend of women to be organized in independent associations (i.e. not linked to the political party in power) developed since 1990 as a response to the difficult situation during the transition period and also as a need to draw the attention of the government towards vulnerable groups and their difficulties in integrating into a fast-changing society.

In the first period after the collapse of Communism, the aggregation of women into NGOs was spontaneous and associations had no medium or long-term strategy. In recent years a general maturing of the women's organizations was noted (1995-2000). Women's organizations started to provide social services for the most vulnerable groups (children, women head of household, elderly and sick persons). It has to be noted that most women's NGOs are based in the capital Tirana, while regions and districts experience a low level of organization. Many women's organizations are generic and not specific in scope and have problems in analytical assessment and in fund-raising.

PART II

SPECIFIC INFORMATION ON EACH PROVISION OF THE CONVENTION

CHAPTER I

CONSTITUTIONAL AND LEGAL FRAMEWORK FOR THE PROTECTION OF WOMEN'S RIGHTS

(Articles 1-3)

I.1 Equality Between Men and Women - Legal Framework

Article 1 *For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect of purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*

I.1.1 Definition of Discrimination by the Albanian Legislation

The principle of equality men and women is part of the Albanian legal system of throughout the Constitution and national laws.

Constitution: article 18 of Albanian Constitution states that "all are equal before the law" and that "no one shall be unjustly discriminated for reasons such as sex, race, religion, ethnicity". The Constitution provides the enjoyment of civil, political, economical and cultural rights by all (articles 15-58) but it does not define the term discrimination. Meanwhile, related to the international documents the Constitution in the article 122 (2) foresees "An international agreement ratified by law has superiority to the laws of the country that don't agree with it".

Labor Code: article 9(1) of the Labor Code (Law N. 7961/12.07.1995) prohibits all forms of discrimination in employment and occupation, while paragraph (2) provides the definition of discrimination:

> "Discrimination is any distinction, exclusion or preference made on the basis of race, colour, sex, age, religion, political, opinion, national extraction or social origin, physical or mental impairment which has the effect of mollifying or impairing equality of opportunity or treatment."

The violation of the principle of non-discrimination in employment is sanctioned with a fine up to fifty times the minimum wage as established by the law (article 202 of Labor Code) The

current Labor Code has been designed on the basis of the international labour standards ratified by the country over the years and article 9 of the Labor Code reflects the provisions of ILO Convention 111.

Civil Code: Article 1 seq. the Civil Code of Albanian provides for "full and equal capacity for every natural person", subsequent provisions refers to "all", "no one" and "person" without sex distinction.

Penal Code, article no.253 foresees that:

"*The violation of the equality of citizens.*

Discrimination by a worker holding a state function or public service conducted in his capacity or during its exercise, when the discrimination is based upon origin, sex, health situation, religious or political belief, trade union activity or because of belonging to a particular ethnic group, nation, race or religion, which results in unfair privileges or in refusing a right or benefit deriving by law, is sentenced to a fine or to up to five years of imprisonment".

Since 14th of December 1955 Albania is member of UN and it had ratified almost all the main conventions of this organisation related the human rights. As it belong to discrimination Albania is part in the following conventions:

- Convention against discrimination in education (UNESCO), 1960 (1963)
- International convention for the elimination of all forms of racial discrimination, 1969 (adhesion on 1994).

Convention of ILO on discrimination ratified by Albania.

- Convention No. 111 on the Discrimination in Employment 1958, ratified on 27.02.1997.

Also Albania is member of the Council of Europe since 13 of July 1995. Albania has acceded to a big number of important documents adopted by the Council of Europe, among which are the European Convention for Human Rights and the Protocols 1,2,3,4,5,6,7,8 and 11. According to the last protocol, all the Albanian citizens have the right to direct to the European Court for Human Rights.

Article 2

States Parties condemn discrimination against women in all its forms agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake

a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislations if not yet incorporated therein and to ensure, through low and other appropriate means, the practical realization of this principle;

b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

e) To take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise;

f) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

g) *To repeal all notional penal provisions which constitute discrimination against women.*

I.1.2. Obligation to eliminate the discrimination

Since the ratification on the Convention Albania did not undergo a revision of existing legislation from the gender perspective point of view to conform to the principles of the Convention. Despite this shortcoming Albanian legislation is quite recent and it substantially conforms to the main international recognized human rights.

The only legal provision, explicitly foreseeing a different treatment for men and women is to be found in the Family Code in the minimum age for marriage: women can marry at 16 while men can marry at 18 years of age (article 14 of the Family Code, Law N. 6599/29.06.1992). The Family Code is currently under revision.

I.1.3. Existence of discriminated practices against woman

Despite a modern and non-discriminatory legislation with regards to women, practical application and enforcement of the rights to equality still needs improvement.

Free choice of residence: despite the provisions of the Civil Code, it is usually the man as the head of family to decide where the family home will be.

Inheritance: equally, despite the fact that the Civil Code foresees equality between men and women as far as land inheritance is concerned, more often than not is the man to inherit the ancestral land, since upon marriage women move to the husband's family home.

Ownership: normally land is registered to the head of family (the husband) thus denying the right of community property after marriage to the woman (please refer to relevant articles for a detailed analysis for *de jure* and *de facto* situation) The same applied for the registration of private companies, whereby even though the wife's financial contribution may be equal or even more than the husband, the private company is registered under the husband's name.

Article 3 *States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.*

Advancement of women in Albania

Aware of the existence of a substantial gap between legal provisions prohibiting gender discrimination and the full exercise of women's rights, the authorities have taken a series of measure to advance women's rights in the country.

I.3.1. National mechanisms for the women development

The national mechanism for the protection and promotion of women's rights underwent substantial changes since its birth in 1992. In July 1998 the Council of Ministers upgraded the Department Women and Family to the Council of Ministers level; the Chairperson of the Committee report directly to the Deputy- Prime Minister and the Committee's budget is part of the budget of the Council of Ministers. In March 2001 the Committee Woman and Family change the name in Committee for Equal Opportunities by the Decision of the Council of Ministers.

The responsibilities of the Committee Woman and Family (Council of ministers decision no.415 of 01.07.1998) are:

- The implementation of governmental policies for women and family issues;
- The coordination of programs for the promotion of equality between men and women;
- The implementation and evaluation of governmental programs for women and family issues;
- The proposal of new legislation and/or amendments to existing legislation on children's and women's rights in compliance with international standards;
- The support and coordination of NGO activities in the field of women's and family's rights.

I.3.2. Associations and non-governmental organizations

There are some associations and NGOs supported by the government in their activities through different projects financed by foreign donors. These NGOs work for advancement of women in parallel with public administration. Some groups of women NGOS are very active in different areas. We present a list of them as follow:

Economic development
Independent Forum of Albanian Women
Useful to Albanian Women
The Organization of Businesswomen – Vlora
Women in Business Association – Korce
Professional and Business Women's Association

NGOs in rural areas
Law, business and rural woman
Productive woman in transition

Protection of women rights
Counseling Line for Woman and Girls
Women's Lawyers Association
Women's Advocacy Center
Vlora Woman Hearth
Legal Group for Women

Women's health
Albanian Family Planning Association
Woman's Health Association in Tirana, Permet, Vlore

Social-cultural development
assistance and training
Women's Center
Lindart
Women in Development

Actually, there are three main groups of women NGOs.

1. National Council of Women
2. Women Network "Millennium"
3. Federation of Albanian Women
4. Network of NGOs against violence to women

Despite the legal provisions guaranteeing women's human rights, women still face serious obstacles in the exercise and access thereof, particularly in decision-making, employment opportunities and access to health care.

Article 4

1. Adoption by States parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Positive Actions to Accelerate Equality

At present Albania does not have an official policy aimed at accelerating de facto equality or to employ temporary special measures (quota system or positive actions) at national level. The Committee Woman and Family is making all its efforts for undertaking this special measures and to ensure the support from the Albanian Assembly to discuss and approve them.

It's important to be mentioned that the New Electoral Code (Law no. 8609, date 08.05.2000) doesn't foresee the quotas system. Despite this lack, the political parties foresee in their electoral lists for the local elections on October 2000, a minimum quota for women candidate. The results were better than in the previous elections. But it's not happening the same thing in the general election of the Assembly.

CHAPTER II

Article 5 *States Parties shall take all appropriate measures*

a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases;

Sex Roles Stereotyping and Violence

II.5.1. Sex roles and stereotyping

Cultural and traditional practices hampering women's advancement in the society

Despite 45 years of Communist regime whereby gender equality was formally imposed from above, the role of women in Albania has always been one of inferiority in respect to men. After the establishment of a democratic system, traditional sexual roles, never eliminated, resurfaced also due to the poor economic conditions of the country. Women became dependent upon their husband or extended family's support for survival because more women than men lost their job due to structural adjustment policies.

Many social services available during the last regime for working mothers closed down due to a lack of state financing of them in the last or because of looting. Increasingly women stay at home to perform their reproductive role as mothers and caregivers, partly for choice and partly because forced by the poor economic performance of the country.

After 1990s the women were represented in a low level to the political life (only 7% of the Assembly's seats were taken by women in 1997-2001 as compared to 30% in the 70s).

Furthermore, the centuries old traditional code of conduct *Kanun*, seems to be under revival especially in the North of the country. *Kanun* is the common term for the customary law formalized in the 1400s by Lekë Dukagjini.

A religion does not seem to play a role in gender stereotyping in Albania. Under the three main religions (Moslem, Orthodox Christianity and Roman Catholicism) organized religious practice is not intense.

II.5.2. Roles of men and women in family and in society

Both in the family and society the role of men is considered to be the most important as the breadwinner, while women are seen in their reproductive role of wives and mothers. While in the capital Tirana, sex role distinctions are not so sharp, in smaller towns and in rural areas the persistence of sex roles is extremely visible. Women take care of the household, of the farm cores, of children and of the elderly while men conclude business agreements, sell the farm product, manage the household finances. At society level, men have the better-paid positions, decision-making positions (despite the fact that often women are better educated); they participate actively to the political and cultural life of the country and manage the majority of private and public enterprises.

II.5.3 Stereotyping in schoolbooks and media

This tradition division of roles is consistently replicated in the media, where news about sexual *misbehaving* of women is particularly emphasized (like prostitution, extra marital affairs etc.). While it is common for a married man to have a lover (as an indication of sexual power), women are bound to be faithful.

II.5.4. Head of the household by custom

According to article 224 of the Civil Code, regarding the farm family, the family members, defined as persons related by kin, marriage adoption or through acceptance, elect the head of household. In reality both in urban and in rural areas, the head of household is normally male (husband). Only when the male is not present (because of abandonment, or separation/divorce or emigration) the woman takes his place, but only in as far as there are no other male members who can replace him (father-in-law, oldest male child etc.).

II.5.5. Men's and women's work and family responsibilities

From the employment and education statistics of the last ten years it is increasingly apparent women's segregation in specific professions. For example from the average wage statistics provided by INSTAT it is apparent a difference in male/female wages in the private, but also in the public sector, indicating that men get promoted more than women to higher, better-paid positions (please refer to statistical annex, table 4).

The collapse of social services due to the economic restructuring of Albania forced women to increase their reproductive role in the family and especially in childcare. Today the number of children going into pre-school education has dropped dramatically both because of the lack of physical infrastructures and experienced teachers, but also because women, having lost their job, take care of their children home. When a woman has a job, the other women of the family (being they grandmothers, aunts or the oldest female child) take over this responsibility.

Traditionally child rearing is a responsibility of women, while the father is just an occasional figure in the family. This attitude is replicated in children rearing: girls are thought to care for the household and for their siblings, to help their mothers in and out of the house, while boys are doing some works out of the house and encouraged to enjoy themselves.

II.5.6. Domestic Violence

Domestic violence is still perceived in Albania as a private issue to be dealt with at family level. Thus despite a comprehensive set of rules in the Penal Code prohibiting violence (being it domestic or non-domestic) the numbers of women subject to violence is perceived to be high and goes unreported to the police, to health authorities and specific services established for this purpose.

The Albanian Penal Code does not distinguish in wording from acts committed by a stranger and acts committed by a family member. Thus serious threats to cause death or grave personal harm is sentenced with a fine or with up to one year of imprisonment (article 84 Penal Code), while inhuman treatment of torture leading to a permanent disability is sentenced from 10 to 20 years (article 86 and 87 of the Penal Code). Serious intentional injury is sentenced from three to ten years (article 88) while non-serious intentional injury is sentenced with a fine or with up to two years imprisonment.

Sexual offences are covered by the Penal Code (article 100 to 108), and are subject to penal sanctions according to the perceived gravity of the crime and the youth of the victim. Consensual sexual intercourse with a minor girl who has not reached 13 years of age or has not reached sexual maturity is sentenced between 5 and 15 years of imprisonment (statutory rape). If intercourse is not consensual the sentence ranges from 10 to 20 years imprisonment. If the act results in the death or suicide of the victim, the penalty is no less than 20 years. Non-consensual sexual intercourse with a minor girl (14 to 18 years of age) is sentenced from 5 to 10 years. In case of aggravating circumstances, the sentence is over 10 years imprisonment. Non-consensual sexual intercourse is punished from 3 to 10 years of imprisonment (aggravating circumstances shall raise the sentence to a maximum of 20 years in case of death).

Article 106 deals with incest, punished with a maximum sentence of five years imprisonment.

Domestic violence goes mainly unreported for the following reason:

- Women's perception that if they are abused is because they did something wrong;
- Women's distrust in the police forces and judicial system;
- Lack of public awareness on the fact that domestic violence represents a crime and as such it should be condemned;
- Lack of specific police and health structures to deal with domestic violence;
- Lack of awareness of the judicial system on the extent of the phenomenon and how to deal with it;
- Lack of countrywide services for domestic violence cases.

The State does not up to now provide assistance services for cases of domestic violence, but it has supported women's associations that have established help telephone lines and counselling services (for the capital Tirana, and Shkodra, Pogradec, Durrës, Elbasan, Berat). The only safe house for abused women is an NGO operated and it is in the capital Tirana.

No official statistics exists on the phenomenon of domestic violence, due also to the low official reporting, while NGO surveys indicate that 64% of the sample experienced some sort of violence, either physical or psychological, either at home or outside. About 34% of the respondents admitted that serious violence (psychological or physical) took place in their family of origin. That domestic violence is a major issue in Albania is indirectly confirmed by the statistics of women's participation in crime. Women are less involved in crime than men, but out of 28 women convicted and jailed in the only female prison of Albania in 1999, 23 were

convicted for murder and the victim is normally the partner or the ex- partner, or a male member of the family. (Tab.5)

Committee Women and Family in collaboration with Advocacy Center for Abused Women are working for the compilation of a law against violence to woman and for bringing it to the Parliament.

CHAPTER III

EXPLOITATION OF WOMEN

Article 6 *States Parties shall take all appropriate measures including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.*

III.1. Prostitution

The Penal Code (articles 113-115 Criminal Acts against Morality and Dignity) classifies as a crime the exercise of prostitution (sentenced to a fine or up to three years imprisonment), soliciting or mediating or gaining from prostitution (sentenced to a fine or to up to five years imprisonment), and any other act resulting in or favouring prostitution. Article 114/a foresees aggravating circumstances whereby the exploitation of prostitution is sentenced from 7 to 15 years imprisonment when:

- The victim is a minor;
- When the exploitation regards more than one person;
- When the exploitation is committed against a family member;
- When there is coercion, violence or deception;
- When the person is coerced to exercise prostitution outside the borders of Albania;
- Or when the exploitation is carried out by criminal organizations.

There is no provision in the Albania Penal Code allowing the prosecution of clients of prostitutes. While there is no explicit provision distinguishing between prostitutes and other persons in cases of violence, the exercise of prostitution will be used by the defence as mitigating circumstance for the perpetrators, indicating the social ostracism to which recognized prostitutes are subject. Despite the prohibition, it is known that prostitution in Albania exercised.

III.2. Trafficking of Women and Minors

Over the past years, with the fall of Communism and the ensuing problems surrounding transition, Albania was become an origin and transit country for trafficked women. Albania women and girls trafficked for prostitution in Western Europe: the engagement of Albania

women in prostitution outside the country began with the first waves of refugees in 1990 and 1991. There are not exact figures on trafficked Albanian women for exploitation of prostitution.

EU police forces have expressed alarm at the rise of criminal activities controlled by Albanian gangs. Many European countries are facing a tide of young Albanian prostitutes who have been tricked into paying traffickers to be smuggled into Europe. Some girls are abducted, others have been made false promises of work and others believe to be "married" to the exploiter. Deep poverty on the one hand and a desperate need to escape on the other, led to the emergence of organized prostitution in Albania.

The Albanian Penal Code has a series of provisions against trafficking and criminal activities, while the discovery, fact-finding and investigation against this phenomenon seems to be lacking. In trafficking cases a number of provisions of the Penal Code may be used:

- Arts. 114 and 114(a) exploitation of prostitution and aggravating circumstances;
- Art. 115 maintenance of premises for prostitution;
- Art. 28 armed gang and criminal organization;
- Arts. 333 and 334 creating and armed gang and crimes committed by armed gangs or criminal organization;
- Arts. 109 and 110 kidnapping and unlawful deprivation of liberty;
- Arts. 86 to 90 torture, serious and non serious intentional injuries, assault;
- Arts. 100 to 104 sexual assaults towards minors, adults and persons unable to protect themselves.

Interpol in Tirana dealt with 103 cases between 1993-1998 and only 44 of those women have been traced alive. During the period 1991-1997, 200 people are arrested from 580 people denounced for the trafficking in order to exploitation of prostitution. According to police sources the criminal groups involved in trafficking of women are located in Tirana, Shkodra, Berat, Vlora and Fier. In the last year however, it seems that organized crime is concentrating more on recruiting foreign women to be transited through Albanian into Western Europe than in the actual recruiting and smuggling of Albanian women. This may be also a consequence of awareness campaign carried out by civil society organizations in the press, in the schools and universities, warning young women on the dangers of illegal emigration and of the foreign televisions reports on Albanian women engaged in prostitution in Italy and Greece.

Non-Albanian women and girls trafficked through Albania: Recently the smuggling of foreign nationals (mainly from Central and Eastern Europe) through Albanian has become cause of concern for the state authorities.

Young women from Moldavia, Romania, Ukraine, Russia, and Bulgaria are routed into Albania through Romania, Serbia, and either Montenegro or Macedonia. Shkodra (North-West Albania) is usually the first connection of the affiliated groups in the traffic of women.

In some cases the police arrests the women for illegal crossing of State border (article 297 of the Albanian Penal Code) and detain them until they are referred back to their home countries or till bail is posted (very often by the exploiter himself). The statistics shows that from July 1999 are repatriated 126 women (19 Moldavians, 19 from Romania, 5 Bulgarians, 4 Russian and 1 from Ukraine etc.) that were brought in Albania in order to trafficking them in West European countries.

The difficulties in curbing this trafficking are not so much at the prosecution stage, when a variety of articles of the Penal Code may be invoked, but in the discovery process. Entry points change continuously, as do means and routes of transport.

Aside all the provisions mentioned above, in cases of trafficking of foreign women arts. 297 and 298 (Illegal crossing of State border and assistance in illegal border crossing) and Article 186 (Falsification of documents) are used at the prosecution stage.

Recently a shelter for trafficked women was set up in Tirana and so the police forces have an alternative were to bring victims of the trafficking except the police station or the prison were they brought them before. Victims of trafficking who like to be returned in their homes have been placed before in this shelter for assistance and rehabilitation. The problem cannot be resolve with one shelter because there are yet many victims staying in police station. The OSCE employees that work on women rights monitor the police stations; so many women and girls are identified.

The international specialized agencies have helped in four main directions:

- Prevention (UNICEF)
- Social Prosperity and Services (IOM and ICMC)
- Legal Revision (OSCE)
- Legal Support (MAPE)

The work of these sub-groups will be the base for recommendations to the government and for the preparation of a National Action Plan.

At the moment there is no NGO that is included in the sub-groups, accept the Prevention one. This group aims to be an effective coordination mechanism, so it aims to include representatives from the three sectors, government, international agencies and NGO in a near future.

III.3 Pornography and Sexual Harassment

III.3.1. Pornography

The Penal Code contains a provision (article 117), aimed at curbing the producing delivery, advertising, import and publication of pornographic materials. Such crime is sentenced to a fine or up to two years imprisonment. In practice pornographic materials is readily available in newsstands with little monitoring on client's age.

III.3.2. Sexual harassment in workplace

The employer is forbidden to undertake any action causing sexual disturbance to the employee and should not allow such actions by other employees (article 32(2) and 32 (3) of the Labour Code). By sexual harassment is meant any disturbance, which clearly impairs the psychological state of the employee because of sex. With the view of having a preventive action, a penalty of ten times the minimum monthly salary is sanctioned by the Labour Code. The Penal Code does not foresee sexual harassment as a crime (as in other countries) to guarantee the highest effectiveness of the protection as accorded by the dispositions of Labour Code. Since the approval of the Labour Code no case of sexual harassment has been reported, though such a phenomenon is considered to be rather common in Albania, in home and foreign companies in particular.

CHAPTER IV

POLITICAL AND PUBLIC LIFE

Article 7. *States Parties shall take all appropriate measure to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right,*

a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

c) To participate in non-governmental organizations and associations concerned with public and political life of the country.

IV. 1. Participation in Political and Public Life

The participation of women in political and public life includes particularly their right to participate in all elections and public and political referendums, to be elected in all political elected bodies, to participate in designing and implementing governmental policies, to work in

public and political institutions at all levels, to participate in non-governmental bodies dealing with the public and political life of the country. All these basic rights are guaranteed by the Constitution (arts 45, 46 and 48), but statistical data prove that in Albania management and political posts, in government and public decision-making men are mostly taken by men despite the fact that women's education level is equal, and often higher, than men's (please refer to statistical annex, tables 6 to 14).

Women's highest political presentation in the history of the Albanian Parliament was reached in the 1974 with 33% of total MP-s and in 1989 where 1/3 of the Members of Parliament were women. In the first multi-party political elections of March, 1991, the representation of women in elected bodies decreased to 51 against 199 men, while in 1997 only 11 women were elected against 144 male deputies. The situation does not differ substantially for the participation of women to local government. For examples in 1996 out of 309 Heads of Commune only one was a woman. An improvement was in the Local Election of 1st October 2000.

According to article 3 of the Electoral Code (Law No. 8609 of 08.05.2000), every Albanian citizen, of 18 years of age, without distinction of race, ethnicity, sex, language, political conviction, religious belief or economic conditions has the right to vote and to be elected. Certain categories of citizens are not allowed to run as candidates nor be elected deputies, without resigning their office (judges and prosecutors, military servicemen in active duty, staff of police and National Security, diplomatic representatives, or members of the local government).

The problem of low of women's participation is due partly to women's perception of politics as a complex affair, but mainly to cultural attitudes regarding women unsuitable for decision-making positions.

In the recently approved Election Code it was failed a quota provision for women. As a result the decision to candidate women representatives is left very much in the hands of political parties (notwithstanding the right of a person to run as an independent). In the view of the local elections of 1st October 2000, the Albanian Socialist Party, pushed by the Social Women Forum, decided to establish as a target a 30% quota of women candidates. The same is true for the opposition party, The Albanian Democratic Party, also providing for a voluntary quota of 30% women candidates. But, despite these promises, for the candidacy of the Mayor of Tirana none of these two parties proposed a woman and statistics available on women's presence within political parties are still showing a substantial gender gap. Furthermore there is at present no established support service to improve women's participation in this area.

Article 8 *States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.*

IV.2. International Representation and Participation

By the law each Albanian citizen has the opportunity to represent his/her Government at international level (either in the Foreign Service or as a member of an international organization). Statistical data show that the number of women working for the Albanian Foreign Service is increasing year by year.

CHAPTER V

CITIZENSHIP

Article 9

1. States Parties shall grant women equal rights with men to acquire, change, or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to nationality of their children.

V.1. Acquisition of Citizenship

The Constitution and the Law on Albanian citizenship (Law No. 8389 of 05.08.1998) provide the legal bases for Albanian citizenship.

According to article 19 of the Constitution every child born of at least one parent (be it the father or the mother) with Albanian nationality gains automatically Albanian nationality.

Article 6 of the Law on Citizenship provides that Albanian citizenship is acquired by birth, naturalization and adoption, while article 10 foresees that a foreigner married to an Albanian citizen for not less than three years may acquire, if he/she so wishes, Albanian citizenship. Therefore marriage is not a criterion for acquiring or losing Albanian citizenship. Albanian Legislation on Albanian Citizenship according to the Convention of 1954 on the marriage women. Albania is part of this Convention.

In Albania, before the Second World War, the marriage was considered as a way to acquire the citizenship. In a special manner the Civil Code of the year 1929 sanctioned the principle of the inequality of women foreseeing that the wife must acquire the citizenship of her husband. After the Liberation, this inequality was eliminated. From 1954 till 1998 the regulation of citizenship was foreseen in the Decree no.1874, date 07.06.1954. In 1998 was approved the Law "About the Citizenship" No. 8389/ 05.08.1998, which regulates some of the new relationships created after 1990.

V. 2. Right to Relinquish Citizenship

According to article 4 of the Law on Albanian Citizenship, every citizen may relinquish his/her Albanian citizenship provided that he/she has, or has acquired or is about or acquire another citizenship. The minors can acquire and relinquish Albanian citizenship with the consent of the parents. Any change in the citizenship of a minor (14-18 years old) shall, however, be made with the consent of the minor.

CHAPTER VI

EDUCATION

Article 10 *States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:*

a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adoption of teaching methods;

d) The same opportunities to benefit from scholarships and other study grants;

e) The same opportunities for access to programmes of continuing education including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

g) The same opportunities to participate actively in sports and physical education;

h) Access to specific educational information to help to ensure the health and well being of families, including information and advice on family planning.

According to the Constitution of the Republic of Albania everyone has the right to education. Mandatory (eight years education) and general high school education in public schools is free (article 57 of the Constitution).

Education is one sector where the contribution of women is very important. Throughout the country there are 58,856 teachers, out of whom 36,939 (or 63.2%) are women, while the total number of students in the school year 1998-1999 was 694,474. At present, the education system comprises 1852 pre-school institutions, 1,798 mandatory schools, 375 high schools, 11 universities and higher education institutions.

The importance given to education has decreased as compared to the pre-transition period. During the first years of the transition schools were destroyed and looted; many experienced teachers left their position and many students abandoned high school. One worrying element of the transition is the abandonment of experienced teachers and their substitutions with unqualified staff and the increasing school drop-rates.

During the school year 1992-1993, 7.8 per cent of elementary schools' teachers had an insufficient level of education, whereas today the figure is 10 per cent. In the eight year schooling the number of teachers with an insufficient level of education rose from 24.2 per cent in 1992-1993 to 26 per cent, whereas in high schools the rate is between 6 to 8 per cent.

VI.1. Mandatory Education

Eight year schooling in Albania comprises age groups from 6 to 14 years old and is divided into two cycles; lower cycle (first to fourth grade), which is similar to elementary school in Western countries, and the upper cycle (fifth to eighth grade). Enrolled in Albania eight year schools at present are 553,411 pupils, of whom 48 per cent are girls and 52 per cent boys. For decades, Albania placed greatest importance to the development of eight-year education network, but neglect, poor maintenance and lack of funding caused an irreversible deterioration of school buildings rendering qualitative teaching impossible. Thus, a general assessment shows that out of 1,815 mandatory schools operating at present in Albania, only 65 per cent are in acceptable conditions.

An important feature of mandatory schooling in recent years has been the development of private institutions. Thus, only in 1997, three new non public schools were opened raising the total number of approved non-public educational institutions to 36 in the last 5-6 years. Out of these institutions, 22 are non-religious and 14 are religious (medrese). About 3,800 pupils attended these institutions in 1998 (inclusive of pre-school attendance).

Statistics show that the rate boys/girls in such institutions is almost equal. Thus, for example, out of 522 students enrolled in the college: "M. Akif", 52 per cent are girls and 48 per cent are boys; in Medrese of Shkodra out of 258 enrolled students in the upper cycle and in high school, 53 per cent are girls. There are however 13 other religious schools (Muslim) where girls are not allowed to enrol.

VI.2.High School

High schools are attended by students from 14 to 18 years old and comprise 4 years of general education or from 4 to 5 years of vocational training. (Appendix III, Tab 1). The number of students attending both general and vocational schools, with and without interruption, are 102,161, out of which 48 per cent are girls and 52 per cent boys.

59 per cent of students completing mandatory education continue their studied in high schools. In the year 1998, 50.387 students completed the mandatory education system (50 per cent girls) and only 30,350 enrolled in the first year of high school, (44 per cent girls Tab.15). In urban centres, 52 per cent of girls who finish mandatory school continue their studies in high schools, whereas in rural areas the figure is 28 per cent for girls and 72 per cent boys. Thus, out of 14,458 rural girls finishing mandatory schooling only 4,065 enrolled in the area's high school. Though it is expected that a number of these girls enrolled in high schools in other areas, the disparity among boys and girls is still high.

Another worrying phenomenon is the low enrolment of students in vocational schools (only 14 per cent of the total number of students Tab. 16-17). In vocational schools 14,423 students are enrolled, of whom 30 per cent are girls and 70 per cent are boys, whereas in rural areas this percentage is 22.6 for girls and 77.4 for boys. In agricultural, construction and mechanical schools, girls' attendance varies from 10 to 25 per cent. These low rates are caused by difficulties the profession present for girls or because of traditional attitudes as to the nature of such professions. In fact, before the 1990s, the agricultural schools had a high attendance by village girls, mainly because of the limited possibilities in enrolling in general high schools or in other vocational schools. (Appendix III. Tab.3)

The percentage of girls attending vocational schools for foreign languages, arts or teaching is, on the contrary, very high, in certain areas over 90 percent. Girls are strongly present also in business and technical (informatics) schools (50% and 70% respectively).

The students in the high school group age are more at risk of dropout and to be involved in crime (mainly drugs, prostitution). Partial analysis shows that minors involved in crime have often prematurely dropped-out of school, but no national survey exit on the phenomenon.

VI.3. Higher Education

At present there are in Albania 11 Universities and higher education establishments whereas until 1991 there was only one University and seven Higher Education Institutes

(Teaching, Agriculture, Arts, Physical education). The increase in the number of Universities is due to the fact that some previously higher education institutes were granted the status of University.

At high academic level only 10 women out of 146 are professors (6.8%), 58 women out of 250 are assistant professor (23.2%). However, there is a sharp decrease in the number of students coming from rural areas (due to difficult economic conditions and to internal migration flows). Thus, out of 7,670 regular students coming from various rural areas in 1991, in 1998 there were only 3,231 of them (42 per cent), at a time when there is a 30 per cent increase in the general number of students enrolled in universities. Anyhow, the rate men-women enrolled in higher education and coming from rural areas is satisfactory: 33 per cent boys and 77 per cent girls (in 1991 the rate was 54 per cent for boys and 46 per cent for girls). The percentage of women enrolled in university is increasing. Thus, during the academic year 1990-1991 girls were 53.1 per cent, whereas nowadays they are 65 per cent.

Faculties like social sciences, medicine and economy are very popular (only one out of ten is admitted), while the teaching college and agriculture barely cover the places available. (Tab.19, 20)

VI. 4. Drop-Out Rate

As far as school dropout is concerned the latest statistics reported a dropout rate of 2.7 per cent. This unexpected increase is due to perception that education is not the only way to secure a better life; many students after the mandatory period leave school to find employment opportunities, while others do not even complete the mandatory requirements. This is particularly evident in rural areas, where the poor economic conditions force children to abandon school to help their family with farm chores. Furthermore, the extensive migration flows from rural to urban areas creates problems in providing teaching staff (especially in the most remote areas), of overcrowding of urban schools and have closing down of rural schools. As far as girls are concerned, they face further difficulties in attending school, since often the school is far away and transportation is not provided.

This phenomenon has taken dramatic proportions in certain Albanian districts (Kuçova 12.9%, Durrës 8.8%, Kukës 8.2%, Mallakastër 7%, Has 5.6%, Elbasan 5%) which means that there is a geographical distribution comprising not only remote mountainous areas, but also urban, plains areas. In the years 1991-1992 the dropout rate in mandatory education reached 6.34 per cent, decreasing to 4.1 per cent in 1992-1993.

School abandonment in percentage (%) by eight-year school children according to years is represented graphically. (Graphic 1)

CHAPTER VII

EMPLOYMENT

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

a) The right to work as an inalienable right of all human beings;

b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeship, advanced vocational training and recurrent training;

;

d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

a) To prohibit, subject to the imposition of sanctions, dismissal on the ground of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

VII. Prohibition of Discrimination in Employment and Occupation

The right to employment is sanctioned in the Constitution, article 49(1): "Everyone has the right to earn the means of living by lawful work that he has chosen or accepted himself. He is free to chose his profession and place of work as well as his own system of professional qualification".

This principle applies to all citizens, men and women and according to the Labor Code the prohibition of discrimination based on sex applies also to guidance and professional training, to remuneration, to social assistance and termination and to trade unions' participation. In particular the Labor Code foresees:

- Article 9 (1) prohibition of discrimination;
- Article 9 (2) definition of discrimination;
- Article 10 trade unions' participation;
- Article 32 (1) obligation of the employer to respect and protect the personality of the employee;
- Article 32 (2) prohibition of sexual harassment;
- Chapter 8, articles 39-75 heath and safety in the workplace;
- Chapter 9, articles 76-97 hours of work and paid leave;
- Chapter 10, articles 98-108 special protective measures for women and children;
- Chapter 11 articles 109-134, remuneration.

Violations of the above mentioned provisions are penalized with a fine ranging from twenty to fifty times the minimum wage as established by law.

Special regulations are provided by the Labor Code to protect women workers. Article 54 (3) provides that a pregnant woman working continuously standing should rest for at least 20 minutes every four hours of work; while Article 55 states the maximum weight to be lifted by women as up to 20 kg, while for men is up to 55 kg; according to Article 72 the employer is obliged, in addition to other hygienic requirements, to provide separate changing rooms in places where women work.

VII.1. Labor market

The first few years of transition were characterized by an immediate increase in the number of unemployed due to the closing down of many state-owned enterprises. This negative trend started to improve. In the years 1993-1996, unemployment started to decrease as the economy recovered and the number of small and medium size enterprises started to grow. A precise assessment of the Albanian labour market is, however, difficult at present since most the population is rural (and does not register as unemployed) and the high level of informal employment.

The increase in unemployment figures from 1997 is also related to the fact that many more potential workers came forward who were previously jobless but had not registered because of the monthly payments from pyramid scheme investments.

The Albanian labour market offers limited possibilities given the poor qualifications of the unemployed. While 48% has mandatory education and 49% has a high school degree, the unemployed need vocational/re-training courses to carry out specialized tasks. Vocational training opportunities are quantitatively and qualitatively still lacking.

The lack of options for women in the labour market is well documented and currently female unemployment rate is 21% against 16% for males, (please refer to statistical appendix table 21).

Various external and internal factors have prevented private business (except in areas such as trade, services and construction) from growing and playing an important part in the economy and labour market.

The main cause of unemployment in urban areas, as well as the low skill level, is the massive migration of the population from rural to urban areas. According to INSTAT, in 1989 the level of labour participation was 85% for women and 94% for men, while after 1990 it decreased to 50-60% for both sexes.

VII.2. Equal remuneration

The Labor Code foreseen in Article 115 paragraph (3) the principle of equal pay for work of equal value. The border of proof on the employer to prove that there is no discrimination. This formulation is in conformity with international instruments (ILO Convention N. 100 on Equal remuneration, 1951) to which Albania is party.

During the last decade, wage level has changed continuously. Until the end of 1989, the wage was the only source of income for all the working population and wages were determined by the State according to a set fee system based on the quantity and quality of work undertaken. Since 1991 wages increased in all the most important economic sectors. A new wage system was introduced for state employees comprising 22 categories based on a job evaluation, which considered the nature of the work, responsibilities and difficulties. This new system marked the

beginning of the process of differentiation between wages for qualified and unqualified work. (Tab 22)

VII.3.Right to maternity protection

A woman is entitled to maternity leave provided she has been included in the social insurance scheme for the last 12 months and has been employed with an employment contract from the initial moment of pregnancy until the beginning of maternity leave. The period of benefits of maternity leave is 365 days, including a minimum of 35 days before delivery and 42 days after delivery (article 104, labour Code). A woman carrying more than one child during pregnancy is entitled to 390 days leave, including a minimum of 60 days before delivery and 42 days after delivery.

An employed woman receives during maternity leave 80% of the average daily payment for the period before delivery and 50% of the average daily payment for 150 days after delivery, based on the average of the previous year salary. Maternity leave benefits for employed women are equal to her pension benefits. A mother adopting a child is also entitled to such benefits provided she is insured and fulfils the conditions established by law (article 106, Labor Code). The employer is obliged to keep the job of a woman during the period she is benefiting from the paid maternity leave.

The Council of Ministers in 1996 established further rules safeguarding maternity and probating the employment of pregnant women and nursing mothers is activities exposing them to dangerous agents and working conditions. Pregnant women and nursing mothers cannot be obliged to start work before 5 a.m. during summer and before 6 a.m. during winter time or work after 8 p.m. It is to be noted that the Penal Code of the Republic of Albania considers a criminal act against pregnant women as aggravated circumstances (article 50 (e), while art. 79(b) provides life imprisonment for the murder of a pregnant woman.

VII.4. Right to social insurance

In the field of social insurance women enjoy a number of rights, such as benefits in case of illness, old age pension, invalidity benefits, family benefits, and other benefits related to accidents in the working place, to professional diseases, to unemployment etc. According to the law N 7703 of 11 May 1993 a woman can benefit from temporary disability resulting from a disease or accident not related to the work she is performing. The disability is to be proved by a medical report, on the basic of the Regulation N 3 of 05.10.1993, "On the Delivery of Temporary Working Disability Reports", issued by the Institute of social insurance and the Ministry of Health.

Women get their full pension at the age of 55, provided they have been insured for 35 years and do not perform an economic activity. Mothers having 6 or more children over 8 years old are entitled to retire at the age of 50 if they have been insured for no less than 30 years. (Article 31). Unemployment benefit, regarded as social insurance, is paid to individuals for a

maximum of one year. In 1998, 25.000 people benefited from this scheme. Social protection includes the social assistance program which is given to the most vulnerable families, who have no income or too little to live on. There is also a social protection scheme for the disabled. This is given to the mentally disabled since birth (unable to work).

Even though the country has been running a network of social protection programs for many years, a large part of the population is still unprotected or excluded from the scheme 54% of the unemployed currently receive social assistance and 9% receive unemployment benefit- but that still leaves 37% of the jobless receiving nothing at all.

VII.5. Night Work

Article 108 of the Labor Code and governmental decree N 145 of 10 August 1998 prohibits night work for pregnant women. This disposition was discussed at length during the drafting of the Labor Code, since night work was considered harmful to womer's health. The Council of Ministers establishes special regulation defining exceptional cases when women may be engaged in night work.

VII.6. Emigration flows

Women emigrants are generally more vulnerable than men. A high number of Albanian women abroad are employed in the informal market, without employment contract and consequently without health and social insurance. Most women are employed in low-skilled jobs-domestic service, agriculture, bars and restaurants-despite their academics qualifications or employment experience.

The emigration of married women, often accompanied by school-age children, even though temporary in nature has caused problems of continuity of family and social life and has weekend and endangered the traditional family structures. More often however, mothers have become single parents and it is not uncommon for emigrated husbands to stop sending remittances and lose contacts with the family. Family reunions are also difficult due to the strict emigration policies of many recipient countries.

Elderly women are another social category affected by the negative edge of emigration. A survey on aged people made in 1997 in the city of Tirana shows that many elderly women live alone and in precarious economic conditions due to legal difficulties entailed in re-uniting with their children working abroad.

VII.7. Part-time employment and house work

Article 14 and 15 of the Labor Code deal with part-time and home work respectively. Part-time work is defined as an employment whereby the worker is engaged to work by hours, half-day or by day, for a total working week inferior to the normal full-time working week. Part-time work entails the same rights and obligations, proportionally, to full-time employment.

Homework as defined by article 15, is an employment contracts whereby the worker carries out his/her tasks in a place decided by him/her on provisions given by the employer. The home worker has the same rights of worker working on the employer's premises.

VII.8. Non remunerated work

At present in Albania there is no provision for the calculation of non-remunerated work carried out by women within the household in the Gross Domestic Product of the country.

VII.9. Self-employment

The number of women included in private business is yet low (women managers of the private business were 21% in 1994, 16,8% in 1996 and 18% in 1997). The main economic activity realized by women is:

- Trade, wholesale and shops,
- Services, (notary, lawyer, hairdresser, dentist,)
- Agro-business and industry, (mainly milk products, textile, printing houses, handicraft, sewing). (Tab.23, 24)

CHAPTER VIII

HEALTH

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a bases of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post- natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

VIII.1. Basic Health Services

Article 55 of the Constitution foresees the equal enjoyment of citizen of health care provided by the State, while according to article 59 (c) the State aims to the highest possible standard of physical and mental health of its citizens.

The transition period had a negative impact on health services. In percentage of GDP, government expenditures on health have consistently decreased from 4.2% in 1993, to 3% in

1997, to 2.5% in 1999-2000. Availability of health services has decreased, particularly in rural areas. This decrease is more visible in the rural areas. Ministry of Health in 1993-1994 has prepared the sanitary map of Public Health Institutions in each district based on criterion of population covering (ratio medical doctor – population) according to geographical aspect of the country, the distances of villages from the district centres. These maps are preparing in collaboration with World Bank experts. The general number of ambulances in rural zones was reduced in 2000 ambulances and 640 health centres. The sanitary map, after 1997 was completed with respective investments, foreseeing the medical and official equipment of the health centres. After 1999 the number of hospital beds was increased and there are 10197 beds today.

The issue of licenses for private activity has begun in 1993; it includes the dental, medical and pharmaceutical service. The number of persons with license issued from Ministry of Health is 3394, from which 570 are medical personnel, 1293 dental personnel and 1531 pharmaceutical personnel. There are around 80 pharmaceutical storages, 32 medical clinics, 6 dental clinics, and 5 dental laboratories.

Access to health care is also limited by the ability to pay for the services. Prior to 1995, the health care delivery system was fully financed from the State budget. Now pharmaceutical co-payments, health insurance contributions have been added to under-the table payments. A World Bank survey of 1996 in sub-urban areas revealed that 54% of the urban poor did not seek medical treatment because too expensive. Regardless of accessibility, the quality of health services is at present inadequate.

Ministry of Health has planned to establish a new kind of ambulance. The actual network of ambulances is very damaged and Ministry of Local Government that is legally and financially covering it contributes very little for their improvement. Some donors like World Bank, UNICEF and some NGO-s have given an important contribution through their projects in this field oriented according to Ministry of Health priorities, where the state budget has not cover their necessities for investments.

VIII.2. Reproductive Health

During the Communist regime Albania pursued a pro-natal policy, whereby contraception and abortion were illegal. Illegal abortions flourished resulting in high rates of maternal morbidity and mortality. Pregnancies were closely monitored and antenatal and post-natal visits were mandatory. During transition health policies changed and family planning activities and hospital-based abortions were permitted in 1992 and 1991 respectively. The average number of prenatal visits of pregnant women in the national ratio is 5,1 % (1998). The covering of pregnant women by medical personnel is 72% (1998). Although this number is high in total, the quality of antenatal service by medical personnel is not adequate particularly the counselling and education of pregnant women and the level of health education of women and the family in general.

VIII.3. Family Planning

The number of births is decreased from 7 children per woman in 1960, in less than 2,7 children per woman in 1995 and 2,5 children per woman in 1997. The birth rate is around 25% higher in the rural areas compared to urban areas.

Family planning services and counselling are provided in hospitals and in health centres (oral pills and intrauterine devices); however since family planning methods were introduced in the country only in 1992, access and demand for contraceptives is still low as compared other countries (the Ministry of Health reports an use of contraceptives of 12% for women in reproductive age against a 39% in other countries in transition and 73% in industrialized countries). This low level of contraceptive use is explained with insufficient IEC work for Reproductive Health. The Ministry of Health has prepared the draft National Strategy for IEC on Reproductive Health that includes several activities, which will influence for improving the work of medical personnel for informing population, as well as a better education of the population for family planning.

The Law no. 8045 "For interruption of pregnancy", which entered in force in 7.12.1995, legalized the abortion in 1991.

One in every three pregnancies ended in abortion in 1997. The fact that the highest rate of abortion is observed among women in the age group 24-34 years of age, likely married and with children, confirms that abortion is still used as a family planning method. (Tab. 25, 26, 27)

Pregnancy can be interrupted for health reasons within the 22-nd week of pregnancy and for psychosocial reasons within the 12th week of pregnancy. Finally, abortion is admissible for social reasons within the 22nd week, when a commission composed by one physician, one social worker and one- lawyer estimates that pregnancy is the result of rape or other sexual crime, or when there are particular social reasons for the pregnancy to be terminated.

The law does not foresee urgent cases, but the interruption should take place if the life of a woman is in danger. The legislation does not provide as a precondition the prior consent of the father, since the decision to proceed with the pregnancy or to interrupt it rests solely with the woman. In cases of pregnancy of young girls under 16 years old, the parents' or the legal guardians is required.

Article 93 of the Penal Code deals with the interruption of pregnancy without consent of the woman (force abortion), excluding cases when the interruption is justified by health reasons (if life of the woman is at stake) and with cases when abortion is performed in unauthorized places, such as non-hospital public locations or private clinics without the required permission or by non-qualified persons or when interruption is performed beyond the permitted time limits.

The possibility of lawfully interrupting unwanted pregnancies reduced maternal mortality, but the rate of abortion as compared to live birth is still very high as compared to

other countries, thus making abortion one of the most commonly used methods against unwanted pregnancies. The table and graphic 28 shows the number of abortions as compared to live births (the figure does not include, however, privately performed abortions).

The graphic present a peak in 1994-1996 followed by a slight decrease. The rate abortion/ birth for the first six months of 1998 was 1 per 2.5 live births. Although the legislation of abortion had a positive impact on the reduction of deaths, unsafe practices still occur and the lack of registration of abortions carried out in private clinics hinders the validity of available data.

Although prenatal care is available regardless of the area of residence, poor infrastructure, limited equipment and inadequately trained medical personnel make the delivery of this service inadequate.

Maternal Mortality (MMR) for the first six months of 1998 indicate six deaths in absolute terms or 23.1/100,000 live births, while in 1997 it was 27,5 deaths per 100,000 live births.

MMR is mainly due to postnatal haemorrhages and eclampsia, as well as infections, pregnancy hypertension and septic abortion. Low access to emergency obstetrical care especially in non-urban areas, poor transport infrastructure, the poor quality of basic health services and poor sanitary conditions contribute to the high level of MMR.
Infant mortality rates for 1998 were 20.5 per 1000 live births, as compared to 25.8 deaths per 1000 live births in 1996. The main causes of infant mortality, as elaborated by the Ministry of Health are respiratory diseases, congenital anomalies, and diarrhoea diseases and infections diseases.

VIII.4. Maternal Mortality

Maternal mortality in 1997 was 27,5 deaths/100000 alive births, in 1998 this figure was 20,5 and in 1999 – 16,5. (Table 30) Maternal Mortality is caused by the haemorrhagic situation after birth and from the infections, hypertension during pregnancy and from septic abortions. Fewer possibilities for an emergent obstetric care, particularly in rural areas, the lack of infrastructure and means of transport, low quality of basic health services and poor hygienic-sanitary conditions influence in the high level of maternal mortality.

The index of infantile mortality in 1997 is 25,8 deaths per 1000 alive births, in 1998 is 20,5 deaths per 1000 alive births compared to 25,8 deaths per 1000 alive births in 1996, and in 1999 infantile mortality is 17,5. The main causes of infantile mortality according to Ministry of Health are the pulmonary diseases, congenital anomalies diseases, gastrointestinal diseases, infectious diseases and other prenatal jaundice. Table 29.

The few access to health services, the low quality of those services, in particular the informing and counselling, the lack of equipment and services, the low level of mother education and the family education are some reasons influencing in infantile mortality.

The breast and uterus cancer has an important place in the list of cancerous diseases in absolute value in Albania (the data of 1997). The work of medical personnel is improved in the framework of assessment of those cancers and their treatment since in earlier steps. Some important examinations have been done during those 5 years as a mamo graphical control, Pap test, colpo-scopia, which haven't been before examined in our country. These examinations are not extended over the country. Much work has to be done to aware the women for the importance and the indispensability of those examinations in time for having a good health.

It is important to mention the Law no: 8528, dated 23.09.1999 "For the promotion and the protection of breast-feeding", which protects breast-feeding that influences directly to the mother and child health. This law makes in order the practices of marketing of replaced products of breast-feeding, prohibiting the promotion, advertising and their distribution in health institutions. Violation of this Law contents a penal infringement and the producer or distributor who does this penal infringement is condemned by a penalty. (Article 13 of the Law), the sanction goes to the abolition of the license.

VIII.5 Sexually Transmitted Diseases

The measures for preventing, discovering and combating the contagious diseases in Albania are foreseen in two basic laws and 4 particular instructions, Law no: 7761/19.10.1993 "For preventing and combating of contagious diseases", Law no: 8689, dated 16.12.2000 "For preventing of the spread of infection HIV/AIDS in the Republic of Albania". According to the surveys done by the Institute of Public Health, some of sexually transmitted diseases have the tendency to be spread as a consequence of political and social political changes happened in the last decade. The HIV/AIDS infection was registered for the first time in Albania in 1993. After a long period of elimination, the syphilis was again discovered in 1995. The infections of gonorrhoea, triconomiaza, caused by chlamydeous are present in different levels of population. The diagnosis of those infections is made in the laboratories of public health in different districts and in the microbiological laboratory of Obstetric Gynecologic Hospital in Tirana, National Reference Center for HIV/AIDS and for syphilis is Public Health Institute.

There is a particular attention to HIV/AIDS. There are two regional laboratories and three others in the national level for diagnosis of HIV, while in all districts that have Centers of Blood Donation the fast kits for diagnosis of donors are used.

The diagnosis and treatment of cases with HIV/AIDS are made in the Hospital University Center in Tirana. Albania is a country with a low HIV prevalence. Several surveys have been done with recruits. There is a visible interest of voluntary medical assessment. Many citizens who want to emigrate abroad do the HIV test. None seropositive is discovered from those examinations. The

system of assessment and counseling is realized till now from the institutions of the national level. They have the adequate base to face the number of cases with the diagnosis HIV/AIDS.

There is a good legal base where the development, declaration and compulsory treatment of sexually transmitted diseases is placed. The medical treatment of HIV/AIDS, syphilis and gonorrhoea is free of charge according to Albanian Law and is offered by hospital clinics and ambulances. A law "For preventing of spread of HIV/AIDS in the Republic of Albania was approved in November 2000 and an Interministerial Commission for HIV/AIDS was established.

The national program to combat STD/HIV-AIDS, composed years ago, has been implemented in many directions and we have found the support of the WHO in its implementation. But according to the new requests it will be made the revision of the existed national plan and especially in the strengthen of the medical and non-medical structures, in the implementation of the laws and in an organized multi-sector activity.

VIII. 6. Addictive Substances

6.1. Drug abuse

Recently, the use, production and traffic of drugs have been spreading rapidly in Albania. The increase is explained by various social, political and economic factors. The problem has been exacerbated by the fact that 65% of the population is under 30 year old.

According to the Ministry of Public Order data, the number of young drug users for every 1000 youngsters has doubled in two years. The most common drugs are marijuana and other cannabis saliva products, as well as cocaine and heroine. In the majority of cases Albanian drug users do not take drugs in their pure from. Analysis of cocaine and heroine seized in Albania shows that as many as nine additional elements might be added ranging from aspirin to ground sand. If drug users are mainly youngsters, pharmaceutical drug abusers tend to be older. There is also an abusive use of psychotropic drugs, which are either sold under the counter or stolen. There are many incidences of these being used by people to commit suicide. Surveys show that the ratio of male drug users to female is at least 4:1. Approximately 70% of drug users come from "normal families", with highly educated, well-off parents. The remainders either have one parent or none at all, divorced parents with social behavioural problems.

6.2. Tobacco and alcohol

As far as the consumption of alcohol and tobacco is concerned there are no reliable statistical data available. Surveys carried out among high school students (14-18 years of age) revealed that 58% of males and 32% of female were smokers and tobacco is largely consumed by the Albanian population and is a very well tolerated social habit.

Surveys carried out on the consumption of alcohol reveal that the use of alcohol start at around 15 and 16 years of age is a predominantly male phenomenon. The Psychiatric Hospital of Tirana provides treatment.

There is a movement of some health NGOs to prohibit the smoking in public environments and they have prepared a law on that but legislative institutions do not support it.

CHAPTER IX

SOCIAL AND ECONOMIC BENEFITS

Article 13 *States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

a) The right to family benefits;

b) The right to bank loans, mortgages and other forms of financial credit;

c) The right to participate in recreational activities, sports and all aspects of cultural life.

IX.1. Rights to Family Benefits

Since its creation in 1993, the Social Assistance programme played a crucial role in both rural and urban areas as it allowed the survival of small-scale farmers and the long term unemployed. The programme is designed to provide an income transfer to those families that have non-existent or insufficient income and do not meet the requirements unemployment benefits. In 1997, at its peak it is estimated that 21% of the population (of which 50% living in urban areas) received social assistance benefits.

In October 1991 Law N.7521 granted unemployment benefits for one year to those who had lost their job as a result of economic reforms. Law N. 7579 of July 1992 amended some provision and since then unemployment benefits have been paid (for the maximum period on one year) only to those who contributed to the social security scheme for at least 12 months. Statistical data show that the number of people entitled to unemployment benefits in percentage of registered unemployment drastically dropped from 1993 indicating that Albanian unemployment is mostly long-term. Furthermore the Ministry of Labor estimates that there is a high incidence of people working without a regular contract.

The Health Insurance Institute established in 1995 subsides pharmaceutical products to the population covered by the scheme (all citizens and foreign residents); employees contribute with 3.4% of their net salary (50% of which is paid by the employer). Entitlements include free

medical services (family doctor) and subside on the purchase of selected pharmaceutical products. The groups receiving full contribution payments are children from 1 to 6 years of ages, students, persons receiving unemployment and social assistance benefits, retired people, disabled, pregnant women up to one year after delivery and military personnel. Invalids, veterans, cancer and tuberculosis patients receive 100% subsidy.

IX.2. Right to Bank Loans, Mortgages and Other Forms of Financial Credit

The number of commercial banks in Albania increased from one licensed bank in 1992 to eleven in 1999. This number is however considerably low if compared to other countries in region. Although the business community is in great need of credit, overall credit given to the private sector was in the last three years a mere 3% of GDP, compared to 14-30% of other countries in region. The main causes on this restrictive practice among banks are due to the high risk of credit non-payment, a general lack of business stability (small business have on average a one year life span), poor accounting and generally inability to satisfy collateral requirements.

Non-commercial micro-credits provided by specific international and national development agencies are available (World Bank, Albanian Development Fund and GTZ-DEG) both in rural and urban areas.

IX. 3. The Right to Participate to Recreational Activities, Sports and all Aspects of Cultural Life

Article 58 of the Constitution provides for freedom of artistic creation and scientific research, while article 59(h) foresees the development of sport and of recreational activities. Women's participation in sports is low due firstly to a prejudicial attitude considering sport as a leisure activity and secondly because of family responsibility and limited economic means.

Despite women's enthusiasm for cultural activities, their involvement remains low again because of the above-mentioned factors.

CHAPTER X

RURAL WOMEN

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non budgetary sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

a) To participate in the elaboration and implementation of development planning at all levels;

b) To have access to adequate health care facilities, including information, counselling and services in family planning;

c) To benefit directly from social security programmes;

d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alias, the benefit of all community and extension services, in order to increase their technical proficiency;

e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

f) To participate in all community activities;

g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

X.1. General Situation

Although the spontaneous and chaotic process of urbanization, Albania is yet a country with the most part of population (60 %) living in the village. These data are determining Albania as a typical agricultural country in which women are 45,3% of it. The number of women living in rural areas was 98.690 in 1989, while according to non-official data about 100.000 women live at present in towns of with less than 10.000 inhabitants.

The living standard of women in rural areas compared to the standard of living of men is very hard. Traditionally women are engaged in agricultural work, as much as men and this

work is very hard due to the low mechanization and low use of fertilizers. Furthermore, rural women have to deal with all household chores.

Most farmers do not have the possibility of investing cash to make their farm more productive and rural credit is still found wanting. According to a study made by the World Bank in 1995-1996, it is estimated that 600.000 people of rural areas live below the poverty ceiling. Particularly difficult is the situation in the northern and the north-eastern areas of the country, where farmers have little parcels of land, no employment opportunities and credit facilities.

Another characteristic of rural areas is the high rate of migration. At the beginning of transition internal migration involved mainly young men, 25-40 years old in search of better job opportunities. As time passed, entire families started to migrate from small towns and villages in the North, due to increasing economic difficulties. The uncontrolled migration flows from rural to urban areas brought a concentration of population in urban peripheries especially in Tirana and Durres.

X.1.1. Living conditions in rural areas as compared to urban areas

Actually, rural family pays much attention the immediate profit and doesn't appreciate the social risk of illiteracy, which is increasing every day and it is very dangerous for the future of the society. This low educational level have begun to influence that rural women to live aside the cultural, social, public and political life in the village and in the decrease of labour market for rural women as well. The opportunities for economical activities in these zones are very limited. Rural women are very rare to be members or actors of any individual business or being supported by any credits.

At national level, two third of the households have access to the running water but there are substantial differences between urban and rural areas. In the zones which less than 10.000 inhabitants, more than half households (53.7%) have no access to the running water, use wells and the others use common water resources.

About the one third of the households declare to use electricity as the main source of heating. But the problems of blackout have obliged the households to use the alternative means of heating during the winter (wood, gas, kerosene).

Another indicator illustrating the differences between rural and urban areas regards the most common household appliances. (Tab.31) Areas with lees than 10.000 cannot easily afford the cost of washing machine (also because the supply of in-house running water and electricity is low) or even a cooking stove.

X.2 Specific Rights

X.2.1. Access to land ownership

There is a special chapter of the Civil Code dealing with common property among members of a farm family (articles 222-230). Family members own the property of a farm (persons related by kin, marriage, adoption or through acceptance as family members).

The family is represented in property relationships with third parties by the head, elected by the members of the family. The members cannot alienate any of the farm family property parts, unless these have been allotted to him/her as personal property, but each member may demand his/her share of farm property appraised according to the total amount of property, number of members and personal contribution of the person demanding the share. If the share is requested by only a family member, the share is paid in monetary terms, while if several members require their share with a view to constitute a new farm family, than the share can be given in kind provided that the remaining cultivable land is not less than the minimum standard of cultivation.

In the Article 230 it is specifically provided that the farm family is not responsible for the personal economic obligations of its members, so that creditors have the right to be paid out of the share of the debtor member only.

Despite these provisions, however, the head of family is, by tacit agreement, the man and the land is registered under his signature. If the head wants to alienate the family land, he can easily coerce the wife and other family members.

X.2.2. Access to decision-making

If access to politics and decision-making position is difficult in urban areas, the situation is even worse in rural areas, where in 1996 out of 309 mayors of commune there was only one woman (or 0.32%), out of 947 members of Municipality Council were 61 women (or 6.4%) out of 930 members of District Councils 64 were women (6.8%) and out of 3.548 members of Commune Councils only 105 were women (2.9%).

X.2.3. Access to health services

Access to health care facilities in rural areas is definitely lower than in urban areas, since many facilities were looted during the unrests of 1991 and 1997, other had to close for lack of qualified medical personnel (emigrated to urban areas) or simply because of cost/benefit gap running remote facilities. Actually there are 3494 health centres in rural areas but they work in very difficult conditions as the result of the lack of specialized personnel and facilities. In these centres work only nurses and midwives. Rural woman needs not only a midwife but also she needs the doctor, hygienist, and psychologist to face the problems of the premature and *unwanted* pregnancy, sociologist for their counselling and their social integration. Although in

rural areas there is lack of the information on the health care for the mother and child, reproductive health and STDs. Many publication are prepared by UNICEF, UNFPA and health NGOS but it's very difficult their distribution because of the infrastructure.

While in 1990 93% of all births took place in maternity hospitals or in health centres, the number of home delivers today increased especially in rural areas. In 1996, 11% of all deliveries took place at home, out of which 0.5% without the assistance of qualified personnel.

X.2.4.*Access to social insurance*

Social insurance coverage is very low and benefits are negligible, particularly those of rural self-employed. In 1997 only 27% of the estimated workforce paid contributions to the Social Insurance and could consequently have access for example to maternity benefits. In the same year out of more than 61.000 births registered in the country, only 13.000 women benefited from paid maternity leave (22% of all deliveries). According to the data of the Social Insurance Institute only 7.8% of the rural self-employed pays contribution, anyway the maternity benefit is so low that it is impossible to survive on it (in 1998 a self-employed mother received on average less than 5 USD during the first 6 months of leave and 3 USD for the following period).

X.2.5. Access to agricultural credit and marketing facilities

Access to commercial credit for women is difficult in general and for rural areas the situation is worse due to the low number of decentralized banking services. The Albanian Development Fund (now Besa Foundation), USAID and others provide non-commercial micro-credits to rural areas, but impact is still low due to limited founding and regional concentration. The Land O'Lakes programme in Albania, for example, offers a complete package of training for diary production improvement, promotion of self-groups and co-operatives and assistance in marketing.

CHAPTER XI

EQUALITY BEFORE THE LAW AND IN CIVIL MATERS

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportun.ties to exercise that capacity. In particular they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all other private instruments of any kind with a legal effect, which is direct at restricting the legal capacity of women, shall be deemed and void.

States Parties shall accord men and women the some rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

XI.I Equality of Men and Women Before the Law

Article 18 of the Constitution enshrines the principle of equality before the law without discrimination based on sex, religion, ethic belonging or economic conditions, while article 33 established the right to be heard in front of a court of law and article 43 establishes the right to appeal a judicial decision. Furthermore article 42 of the Constitution provides for due process and the right to a fair and public trial by an independent court of law. All other subordinate legal provisions must comply with these general principles.

XI. II. Legal Capacity of Women

1. General legal capacity

Legal capacity is acquired according to the Civil Code, article 6(1), at 18 years of age, while married women, who are not yet of age, have full legal capacity through marriage (article 6(2)). This right is not lost even thought the marriage is invalid or is resolved before the coming of age of the woman. Law in cases of mental illness or mental underdevelopment determines lack of legal capacity. Every person who has legal capacity has capacity to act in civil trials (art.91 Civil Procedure).

2. Ownership

The right to the private property is guaranteed by article 41 of the Constitution, defining also how property may be required (gift, inheritance, purchase of any other means as provided by the Civil Code – contracts). This principle is reiterated in article 153 of the Civil Code prohibiting full or partial deprivation of ownership legally acquired (except in cases of public need – expropriation). The Code provides for the loss of ownership (article 191) when another person acquires it or when there is an express (a notarised act is necessary) renunciation. Furthermore immovable properties have to be registered according to article 192 of the Civil Code. The Code in Title III provides for common property (which is resumed to be equal unless the contrary is proved) by two or more people. Each co-owner has rights and duties deriving from it, but they cannot alienate their share without providing the others with prior purchase rights (article 204).

3. Inheritance

Inheritance by law: is applied when the person leaving an inheritance has not made a will, or has made it only partially or the will is entirely or partially invalid (article 316 Civil Code). Every

person who is alive or has been conceived before the death of the person has the right to inheritance (article 320). The first line of inheritance is the spouse and the children (also outside of wedlock) in equal parts (article 361), if there are no children, second line heirs may inherit, but anyway the spouse is entitled to half of the inheritance.

Inheritance by will: according to article 373 of the Civil Code any person with legal capacity, i.e. of age, as well as a married woman, even if not of age, has the right to make a will to dispose of his/her property (please note that in a regime of common property, a spouse may dispose only of 50% of the property acquired after marriage). In any case according to article 379, minor children or other minors inheriting by substitution, or those heirs as legally determined (spouse) cannot be excluded by legal inheritance. In practice the property acquired during marriage belongs equally to the spouses, unless the contrary is proved in a court of law: none of the spouses can dispose by law of the share belonging to the other spouse.

4. Freedom of Movement and Choice of Residence/Domicile

Article 38 of Constitution provides for the right of all to choose his/her place of residence and to move freely on the territory of the State. Article 12 of Civil Code gives the definition of residence and provides for the right of every adult to freely choose his/her residence. But, upon marriage is the wife to follow the man in his place of residence.

XI.III. Access to Legal Redress

1. Access to judiciary

While legal provisions are consistent with the protection of fundamental human rights, practical access of women to judicial system to obtain redress is restricted by a number of difficulties.

First of all women are not always aware of full extent of their rights and therefore will not act upon it. Legal literacy activities and legal awareness campaigns have been carried out by non-governmental organizations, but they efforts are limited mainly by lack of funding. No specific governmental programme exists to improve legal literacy of women.

Thirdly, especially in civil cases, the legal proceedings are often very lengthy and therefore expensive for the plaintiffs, in practice limiting access of poorer groups to legal redress. In fact even though persons may start a civil action of their own motion, procedures are fairly complex and require the assistance of a legal representative, not provided by public means.

2. Access to free legal services

Free legal services are provided by article 6 of Penal procedure Code, whereby for penal cases, defendants have the right to receive legal assistance if they cannot afford a private attorney. In civil cases, on the contrary, parties may represent themselves in court unless legal representation is mandatory (Article 22 Code of Civil Procedure), which article 85 states as being cases related to the

capacity of a person to act, cases related to the interests of minors when they are under guardianship, cases considered before the High Court. Even though in theory legal aid is possible (there is no legal provision against it), in practice, remunerated attorneys of their choice assist plaintiffs and defendants in civil cases. Free legal assistance to vulnerable group in civil cases is at present provided by governmental associations (both national and international). In particularly the Women's Advocacy Centre provides women with legal aid in cases of divorce, separation, alimony, child custody, paternity etc.

CHAPTER XII

EQUALITY IN MARRIAGE AND FAMILY LIFE

Article 16

1. States parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

a) The same right to enter into marriage;

b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

c) The same rights and responsibilities during marriage and at its dissolution;

d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

f) The same rights and responsibilities with regard to guardianship, warship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

g) The same personal rights as husband and wife, including the right to choose a family name, a profession and occupation;

h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be token to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

XII.1. Right to Enter into Marriage

The Civil Code provides by the Constitution, the Family Code and equality in marriage and in family life.

According to the Constitution article 53, everyone has the right to get married and have a family and marriage and family enjoy special protection of the State. The entering into and dissolution of marriage are regulated by the provisions of the Family Code (Law No.6599/29.06.1982) and by the provision of the Civil Code. According to the article 6 of the Family Code, family members have equal rights and obligations in the family. The article also specifically provides for equality of rights between men and women in marriage. According to article 13 both spouses have to be willing to contract marriage and article 22 foresees that a marriage where one of the spouses is coerced is null and void. Article 26 foresees the right to decide independently on the surname of each spouse after the wedding. This is done at the moment of registration of marriage into the appropriate Registry, to be done by the spouses personally and during which the decision on the surname will be taken by written consent.

Ownership in marriage is regulated by the dispositions of the Civil Code, 1992 (articles 86 and 87). According to article 86 "Movables, bank deposits and everything acquired by spouses during marriage, excluding personal belongings, are common property". Common property presumes that each spouse's part is equal, unless the contrary is proved on the basis of appropriate criteria. Spouses are entitled to equal rights on the common property even when one of them has been performing housework. Such legal provision was not recognized prior to the entering into force of the 1982 Code. However, since normally the wife moves upon marriage to the house of the husband (which is not as a consequence acquired during marriage), very often the wife has no claim over the house.

The number of marriages in 1996 was the same as that of 1986, i.e. 8.4 marriages every 1,000 inhabitants, while in 1994 there were 30% less marriages than in 1990.

Marriage are more common in rural areas (10 to 1) as compared to large cities. The trend among young people is to postpone their marriage, especially in urban areas. This reflects the impact of economic uncertainty and instability of the country.

Marriage to foreign citizens started in the 90s, after a de facto ban of nearly 30 years. *Cohabitation* or an unmarried couple living together, as recognized today in developed societies, is uncommon in Albania. There are few cases in the capital, but mainly among intellectuals. No increasing trend is been noticed. In the past "cohabitation without a legal civil

marriage was penalized in administrative way"[1], while now it is recognized and accepted by the majority of urban young people.

XII.2. Right to Divorce

Both spouses have the right to file for a divorce in civil courts individually or jointly. The court according to the Family Code article 97, nominates the parent who will be responsible for minor children, and also on the necessary contribution for the minor children, till they are of age. According to article 101 of the Family Code the court shall also decide on the ownership of the house.

The number of divorces in Albania increased during 80-es. In 1980 the total number of divorces was 2,024, while in 1988 it was 2,597 and in 1989 out of one hundred marriages 9.5 ended in divorce. In the two first years of transition the number of divorces increased significantly, and in 1991 they reached a climax with one divorce every ten marriages. (Graphic 6). In larger towns this ratio was even higher. This peak (not confirmed by later data) is probably due to the fact that in those years long - failing marriages were formally terminated. In recent years the number of divorces has declined in proportion with the number of new marriages (from 7.5 divorces every 100 marriages to 5.9 in 1997). (Tab.32, graphic 6)

The difference in respect to past rates of divorces is the ratio between the sexes in filing for divorce. In 1993 1,304 men and 1,589 women filed for divorce, in 1994, 1,297 men and 1,454 women respectively and in 1996 1,114 men and 1,151 women. The decreasing divorce filing rate for women is influenced possibly by the fact that unemployment is affecting women more than men, making women more economically dependent upon their husbands.

Upon divorce wives are not automatically entitled to alimony, since the right is to be granted automatically only if the spouse is declared unable to work and for a limited period of three years. Thus, regardless of economic conditions and possible unemployment, divorced women are not entitled to maintenance. Child support is in theory to be determined according to the parents' earning and on the child's need, while in practice courts assign a fixed monthly amount. Furthermore, in divorce cases the Albanian courts have a tendency to give custody to the mother in four cases out of five.

XII.3. Family Rights

Article 11 of the Family Code provides that members of the family shall provide for each other and shall participate in the improvement of the family's living standards.

Family remains the most stable institution of the Albanian society. However, economic downturns brought a *reduction of family size.* At the beginning of the 80s the rural family composition was of 6.2 members while by 1989 it decreased to 5.3 while in urban areas it decreased from 4.6 members to 3.9.

Changes in family structure as a result of first the Communist period and then transitions are significantly affecting gender relations. In the past the strong patriarchal orientation of family life gave men the opportunity to dominate local political and economic decision-making, while in today's market economy both men and women are uncertain about their roles. Most households still typically include the male head, his wife, their unmarried children and the spouses and offspring of male married children.

Another effect of transition is that the age for marriage is dropping for rural women, because emigration is making young, sexually active men a rare asset. This affects the education of young women who are often betrothed and married before they finish school, thus limiting their future opportunities.

Young married couples live normally with the husband or wife's (more rarely) parents until their income allows them to a house of their own. In a nuclear family, composed by husband and wife, the women can achieve a higher status if she contributes to the family income and provides a male child.

The numbers of families with one parent tend to increase. Though explicit data do not exist, single parent families result mainly from natural death. Partial surveys indicate that a woman heads 80% of single parent household.

Since last years a group of experts is working on the New Family Code, which will bring qualitatively changes in the arrangement of the relation within the family.

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APPENDIX

STATISTICAL DATA

Table 1: Balance of general government budget — *In million leks*

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Budget revenues	8.291	5.168	13.31	33.48	46.83	54.41	52.91	60.35	101.8	124.8
% of GDP (current price)	49	32	26	27	25	24	19	17.8	22.1	23
Budget expenditures	10.87	8.565	21.32	50.68	60.98	74.15	87.59	100.7	141.2	165.1
% of GDP (current price)	65	52	42	40	33	32	31	30	30.6	30.4
Deficit of general Gover. Budget	-2.58	-3.4	-8.01	-17.2	-14.2	-19.7	-34.7	-40.4	-39.4	-40.3
% of GDP (current price)	15.3	20.7	15.8	13.7	7.7	8.6	12.3	12	8.6	7.4

Source: Ministry of Finance

Table 2 – Balance of Labour Forces[1] — *In thousands*

	1992	1994	1999
Total Population	3190	3202	3373
Male	1580	1616	1662
Female	1600	1586	1711
Working age population	1849	1786	1911
Male	912	900	957
Female	937	886	954
Labour Forces	1489	1423	1305
Male	782	609	791
Female	707	814	514
Total employment	1095	1161	1065
Male	588	673	661
Female	507	488	404
Total registered unemployment	394	262	240
Male	194	141	130
Female	200	121	110

[1] "Male and Female"— INSTAT, III.

Table 3 –Registered Unemployment, Long-term unemployment and Unemployment rate[2]

		1994	1996	1997	1998	1999
Total number of unemployed people	In thousands	262	158	194	235	240
Female	In thousands	121	70	85	108	110
Male	In thousands	141	88	109	127	130
Long-term unemployed	In thousands	124.3	120.2	162.6	209	216
Unemployment rate	In %	18	12.3	15	18	18
Female		20		17	21	21
Male		17		14	16	16

Table 4[3] *: Employment in public sector by main groups of occupations and sex in %*

	1993		1994		1997		1998		1999	
	F	M	F	M	F	M	F	M	F	M
Total employment		64.9		63.7		61.8		61		58.2
Managers		**79.1**		**80.2**		**75.8**		**75.5**		**75.6**
Specialist with university degree		56.7		53.8		53.7		54		54.1
Technicians		64.5		54.6		54.6		54.7		54.8
Clerks		50.5		52.9		50.1		49.6		49.7
Workers		67.7		70.1		71.6		70.1		61.7

Table 5[4] *: People convicted by age gender for 1992-2000*

Age-group and gender	*1992*	*1993*	*1994*	*1996*	*1997*	*1998*	*1999*	*2000*
14-18 years								
Female	6	2	7	16	1	1	1	4
Male	300	242	296	465	91	386	402	413
18 years +								
Female	85	87	83	34	41	64	27	38
Male	4051	3423	3609	3951	1065	3130	3568	3699

2 "Albanian Human Development Report 2000"— UNDP; "Development of Labour Market 1990-1999" — INSTAT, p. 21.
3 "Development of Labour Market 1990-1999" — INSTAT, p. 15.
4 "Social Indicators Yearbook 2001"— INSTAT, p. 33.

Table 6: Composition of Parliament 1920-1997

Years	Number		%	
	Female	Male	Female	Male
1920	0	37	0	100
1921	0	78	0	100
1925	0	75	0	100
1928	0	57	0	100
1945	6	76	7	93
1950	17	104	14	86
1958	17	171	9	93
1970	72	192	27	73
1974	83	167	33	67
1982	76	174	30	70
1990	81	169	32	68
1991	51	199	20.4	79.6
1997	11	144	7	93

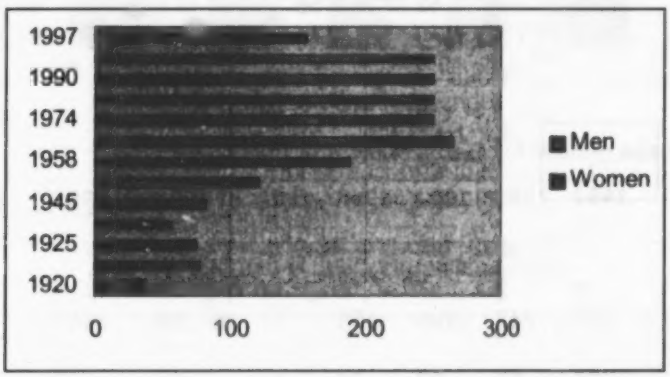


Table 7: Posts in Parliament by sex

Position	1991			1997	
	Male	Female		Male	Female
Head of Parliament				1	0
Vice Head of Parliament				1	1
Head of Parliament Commissions				13	1
Head of Sub-Commissions				1	1
Head of Parliamentary Groups				6	0

Table 8: Composition of parliament by political Parties, June 1997

	Number		In %	
	Male	Female	Male	Female
Socialist Party	97	9	92	
Democratic Party	22	1	96	
Social-democratic Party	9	1	90	
Others	16	0	100	

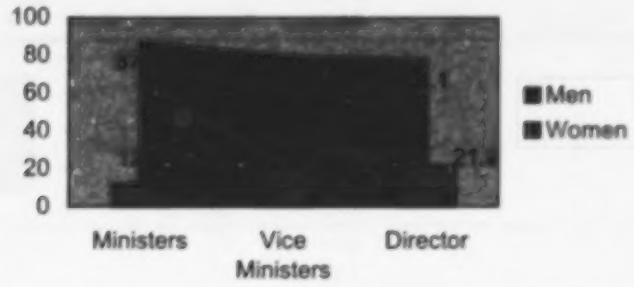
Table 9: Composition of Parliament commissions by sex, June 1997

Commissions	Number		In %	
	Male	Female	Male	Female
Justice	12	1	92.4	7.6
Foreign Affairs	11	0	100	0
Economy, Finance, Privatizations	13	2	87	13
Agriculture and food	10	0	100	0
Industry, Transport, Trade	11	0	100	0
Education, Culture, Science and Sport	9	1	90	10
Public Information	10	0	100	0
Human Rights and Minority	6	1	85.8	14.2
Health and Environment	8	1	89	11
Labour and social Affairs	11	2	84.7	15.3
Defense	9	0	100	0
Public order	9	0	100	0
Immunity, Mandates	11	0	100	0

Table 10: Composition of Government , January 2000

Post	Number		%	
	Male	Female	Male	Female
Prime Minister	1	0		
Vice/ Prime Minister	0	1		
Ministers	14	2	87.5	12.5
Vice/Ministers	16	4	80	20
Directors	82	23	78.1	21.9

Table 11: Local Government Election ,October 1996



Post	Number		%	
	Male	Female	Male	Female
Prefect	12	0	100	0
Majors	62	3	95.4	4.6
Head of District Council	34	2	94.5	5.5
Head of Commune	308	1	99.68	0.32
Member of Municipal Council	886	61	93.6	6.4
Member of District Council	866	64	93.2	6.8
Member of Commune Council	3443	105	97.1	2.9
Secretary of District Council	33	3	91.7	8.3
Secretary of Municipal Council	56	9	86.2	13.8
Secretary of Commune Council	295	14	95.5	4.5

Table 12: Head and member of Courts by sex

Post	Number		%	
	Male	Female	Male	Female
Head of Supreme Court	1	0	100	
Head of Constitutional Court	1	0	100	
Head of Appeal Court	4	2	66.7	
Members of Supreme Council of Justice	13	2	86.7	
Member of Supreme Court	12	5	70.6	
Member of Constitutional Court	8	1	88.9	
Member of Appeal Court	30	13	69.8	

Table 13: Universities Staff by sex- January 2000

Post	Number		%	
	Male	Female	Male	Female
Rector	8	1	89	
Vice/Rector	7	2	78	
Dean	30	6	83	
Vice/Dean	10	3	77	
Member of Senate	151	40	79	
Members of Faculty Councils	344	150	70	
Chief of Departments	101	31	76.5	

Table 14[5]: Participation in Media(newspapers) by sex

	Number		In%	
	Female	Male	Female	Male
Director	0	6		100
Chief Publisher	0	9		100
Vice/Chief Publisher	3	9		75
Chief of Departments	12	26		68
Journalist	72	92		56

Table 15[6]: Registration of pupils from primary education to secondary education in %

School Year	In % registration in Secondary Education		
	Male-Female	Male	Female
1990-1991	97	113	82
1991-1992	72	78	64
1992-1993	70	79	61
1993-1994	72	83	58
1994-1995	60	70	50
1995-1996	55	61	48
1996-1997	65	69	60
1997-1998	63	70	55
1998-1999	67	74	58

[5] Are include this newspapers: 1)Gazeta Shqiptare 2) Koha jone 3) Zeri i Popullit 4) RD 5) Albania 6) Shekulli 7) Republika 8) Ekonomia 9) 55.

[6] "Yearbook of Education statistics" 2000 — INSTAT, p. 39.

Table 16[7] *:Number of secondary schools by type*

School Year	By type				In rural			
	Total	General	Profess.	United	Total	General	Profess.	United
1990-1991	827	75	575	177	568	7	438	112
1991-1992	763	89	209	465	510	20	114	376
1992-1993	650	107	95	448	428	42	17	369
1993-1994	577	161	87	329	371	86	18	267
1994-1995	472	362	69	41	288	267	8	13
1995-1996	430	352	50	24	269	262	1	6
1996-1997	408	337	51	20	259	251	2	6
1997-1998	400	337	60	3	252	247	5	0
1998-1999	394	331	54	9				
1999-2000	386	326	51	9				

Table 17[8]*: Some proportions in secondary education in %*

School Year	Number of pupils in Secondary education in %							
	Male	Female	General	Vocational	Full time	Part time	Urban	Rural
1990-1991	55	45	28	72	70	30	40	60
1991-1992	51	49	49	51	80	20	46	54
1992-1993	48	52	63	37	87	13	51	49
1993-1994	50	50	71	29	88	12	55	45
1994-1995	51	49	78	22	92	8	58	42
1995-1996	51	49	79	21	92	8	63	37
1996-1997	52	48	82	18	92	8	71	29
1997-1998	53	47	84	16	92	8	71	29
1998-1999	52	48	85	15				
1999-2000	51	49	86	14				

[7] "Yearbook of Education statistics" 1998, p. 33; 2000, p. 47 — INSTAT.
[8] Table 17, 18 "Yearbook of Education Statistics" 1998, 2000 — INSTAT, p. 45, p. 56.

Table 18: Graduated students in full and part time education

School year	Total	Female	Full time		Part time.	
			Total	Female	Total	Female
1990-1991	4647	2407	4029	2145	618	262
1991-1992	4373	2408	3633	2049	740	357
1992-1993	4416	2431	3931	2141	485	290
1993-1994	3972	2112	3343	1932	629	180
1994-1995	4436	2556	3711	2135	725	421
1995-1996	4630	2606	3702	2086	928	520
1996-1997	3708	1990	3295	1761	413	229
1997-1998	3861	2456	2861	1821	1000	635
1998-1999	3997	2612	2953	1991	1044	621

Table 19[9]: Graduated students by high schools 1996-1997

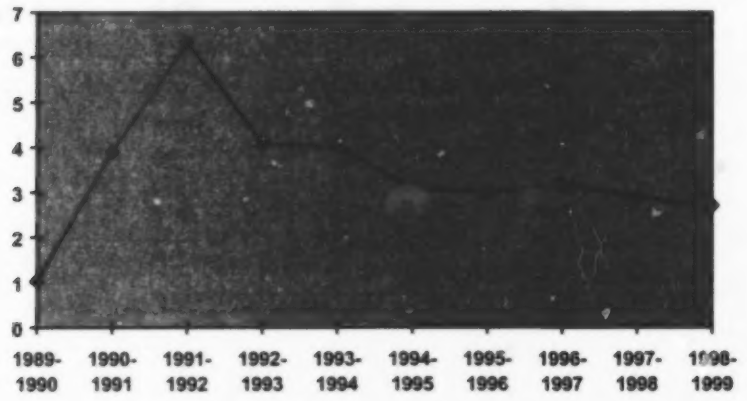
Faculty	Total	Female	Female %
Faculty of Mechanical Enginery	89	18	20.2
Faculty of Electric Enginery	84	18	21.4
Faculty of Building Enginery	85	18	21.1
Faculty of Geology and Mines Enginery	1	0	0
Faculty of Economic	481	238	49.4
Faculty of History and Philology	164	115	70.1
Faculty of Foreign Languages	207	144	69.5
Faculty of Medicine	432	207	47.9
Faculty of Social Sciences	50	40	80
Faculty of Law Sciences	299	127	42.4
Faculty of Nature Sciences	708	439	62
Faculty of Agriculture	164	59	35.9
Faculty of Forest Sciences	65	10	15.3
Faculty of Veterinary	88	16	18.1
Faculty of Social Sciences	493	313	63.4
Faculty of Pedagogical	240	215	89.5
Faculty of Music	61	22	36
Faculty of Figurative Art	27	7	25.9
Faculty of Scene of Art	26	8	30.7
Institute of Gymnastics	81	14	17.2

9 "Yearbook of Education statistics"1998 — INSTAT, p. 56.

Table 20[10]*: Registered Students in the first level by faculty, School year 1999-2000*

Faculty	Total	Female	% Female
Faculty of Mechanical Enginery	145	53	36.5
Faculty of Electric Enginery	223	37	16.6
Faculty of Building Enginery	274	92	33.5
Faculty of Geology and Mines Enginery	91	22	24.17
Faculty of Economic	1084	647	59.6
Faculty of History and Philology	332	277	83.4
Faculty of Foreign Languages	429	350	81.5
Faculty of Medicine	299	201	67.2
Faculty of Social Sciences	149	122	81.8
Faculty of Law Sciences	206	104	50.4
Faculty of Nature Sciences	776	511	65.8
Faculty of Agriculture	528	233	44.1
Faculty of Forest Sciences	73	17	23.28
Faculty of Veterinary	44	12	27.27
Faculty of Social Sciences	917	654	71.3
Faculty of Pedagogical	851	791	92.9
Faculty of Music	54	25	46.3
Faculty of Figurative Art	51	19	37.2
Faculty of Scene of Art	25	14	56
Institute of Gymnastics	82	20	24.4
Faculty of Commerce	141	93	65.9
Faculty of Navy	48	2	4.16
Institute of Nurses	337	276	81.9

Chart 1 : Drop out of school in primary education – n %



[10] "Yearbook of Education statistics" 2000 — INSTAT, p. 70.

Table 21[11] *: Unemployment rate by sex*

	1989	1993	1994	1997	1998	1999
Unemployment rate by sex	7	22	18	15	18	18
Female	8	24	20	17	21	21
Male	6	21	17	14	16	16

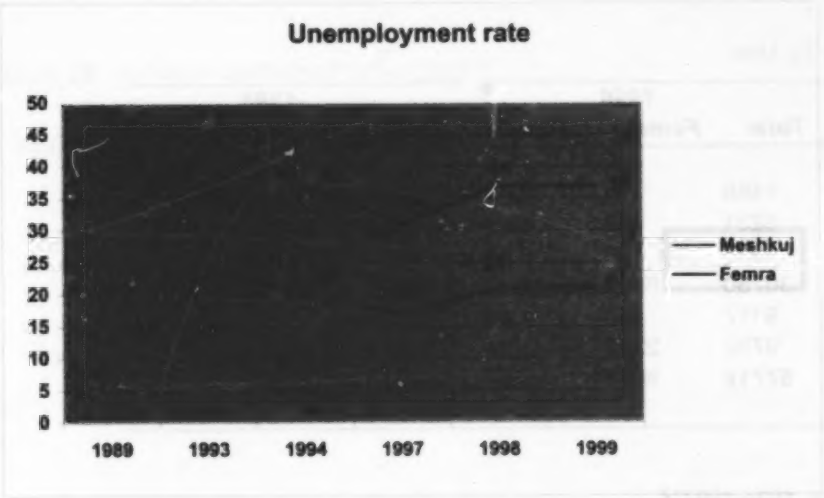


Table 22: The average monthly wage per employee in public sector by main groups of occupations

	1993	1994	1995	1996	1997	1998	1999	2000
Average monthly wage	3084	4778	6406	8638	9558	11509	12708	14963
Manager	4595	7503	10105	14067	16129	19450	22750	24437
Specialist	3447	5334	7747	10158	11554	13877	15913	18159
Technicians	3044	4756	6286	8237	8440	9411	11951	13482
Clerks	2905	4674	6116	7645	8483	9603	12829	14415
Workers	2833	4215	5701	7242	7974	9119	8605	12394

[11] Table 21, 22 "Development of Labour Market 1990-1999"— INSTAT, pp. 21, 30.

Table 23: Number of private business' managers by sex

	Number		
Year	**Total**	**Female**	**%**
1994	32968	6868	20.8
1997	58626	10772	18.3
1998	56453	9800	17.4

Table 24: Business of women by kind

	1996			1998		
Kind of business	**Total**	**Female**	**%Female**	**Total**	**Female**	**%Female**
Agriculture	1466	31	2.11	1241	32	2.57
Industry-Agribusiness	5231	560	10.7	5674	606	10.7
Construction	1417	93	6.56	1905	124	6.5
Trade	30750	6501	21.14	29370	6415	21.8
Transport	9117	150	1.64	8199	157	1.9
Service	9732	2342	24	10042	2564	25.5
Total	**57712**	**9677**	**16.7**	**56453**	**9902**	**17.5**

Table 25: Abortion by age-groups 1994-1997[12]

Age-groups	**1994**	**1995**	**1996**	**1997**
13-19	3.5	4.9	2.7	3.6
20-34	67	63.2	58	64.4
35+	27.7	19.5	26.4	32

Table 26: Abortions by education level 1994-1997

Education level	**1994**	**1995**	**1996**	**1997**
Primary	2.5	2.5	1.8	0.7
8- years	47.6	47.1	47.9	32.9
Secondary	44.3	47.1	45.1	62.7
High	4.7	3.3	3.2	3.4

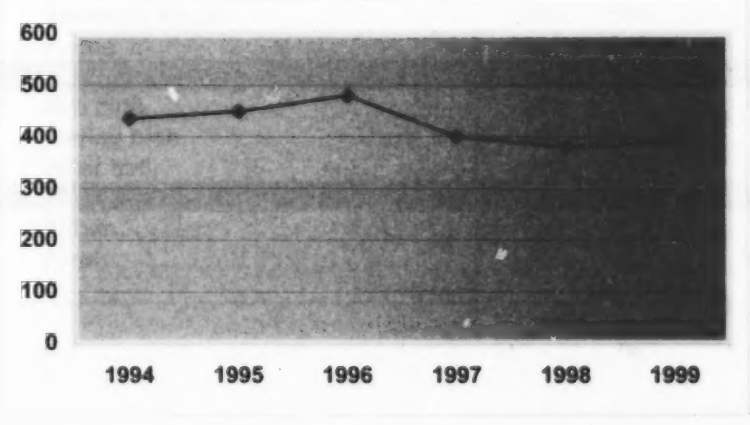
[12] Tab. 25, 26, 27 "Health Indicators for years 1994-1998", pp. 99, 100.

Table 27: Abortion by kind and place

Year	Total	Kind of abortion		Place	
		Provoked	Spontaneous	Urban	Rural
1994	18361	14456	3905	10455	7906
1995	17504	13615	3889	9057	8447
1996	10310	8435	1875	5738	4572
1997	10564	8979	1585	6312	4252

Table 28: Abortions performed 1994-1999[13]

Years	Abortions performed
1994	435
1995	449
1996	480
1997	400
1998	380
1999	390



[13] "Social Indicators yearbook" 2001 — INSTAT p. 28.

Indicators of hospital service[14]

	1994	1995	1996	1997	1998	1999	2000
Hospitals	51	51	51	51	51	51	51
Total Beds	9661	10371	10319	10133	9480	10237	10197
Total hospitalizations	28199	288856	289268	255203	250043	265321	260770

Indicators of health services without beds

	1994	1995	1996	1997	1998	1999	2000
Medical centre without beds	2733	2507	2437	2155	2257	2191	2241
Clinics	58	53	53	53	53	51	51
Health centre	702	622	637	602	637	567	611
Ambulances	1973	1832	1747	1500	1563	1573	1579

[14] "Social Indicators yearbook" 2001 — INSTAT, p. 28.

Table 29: Infant Mortality structure[15]

No		1994	1995	1996	1997	1998
	Number of live born	***72179***	***72081***	***68358***	***61739***	***60139***
	Male	1390	1207	911	737	644
	Female	1152	931	825	628	571
	Unknown	5	24	26	22	0
	0-1 day	510	577	219	202	211
	1-6 day	318	239	294	262	242
	7-27 day	578	445	232	182	132
	28-364 day	1141	901	1017	741	630
	Infectious diseases	115	106	105	82	55
	Pulmonary diseases	959	752	544	462	368
	Gastrointestinal diseases	333	166	141	129	107
	Other prenatal jaundice	339	427	398	332	247
	Congenital anomalies diseases	188	215	185	143	165
	Other congenital anomalies	392	313	216	130	169
	Unspecified	221	183	173	109	104
	Institution	1316	1142	1074	880	768
	Hospital	801	498	483	384	325
	Maternity house	515	644	591	496	443
	Home	1231	1020	688	507	447
	Pre birth	369	268	343	383	328
	During birth	161	121	128	90	70
	After birth	510	577	513	464	453
	Urban	759	654	597	457	413
	rural	1788	1508	1165	930	802

[15] "Health indicators for years 1994-1998"— INSTAT, p. 41.

Table 30:Maternal mortality in Albania[16]

Item	*Years*				
	1994	*1995*	*1996*	*1997*	*1998*
Number of women age 15-49 years	819717	835659	844790	863327	863327
Number of pregnancies	103471	104349	96092	83872	78355
Number of live births	72179	72081	68358	61739	60139
Number of maternal deaths	29	21	22	17	13
Maternal mortality rate					
Deaths per 100.000 women, age 15-49	3.53	2.5	2.6	2	1.5
Deaths per 100.000 pregnancies	28.2	19.8	25	27.7	16.6
Deaths per 100.000 life birth	40.6	28.5	24.8	27.5	21.6
Number of maternal deaths through abortion	6	3	2	1	0
Maternal mortality rate through abortion	0.7	0.4	0.2	0.1	0

[16] "Health indicators for years 1994-1998"— INSTAT, p. 91.

Chart 2[17]: Users drug per 1000 inhabitants

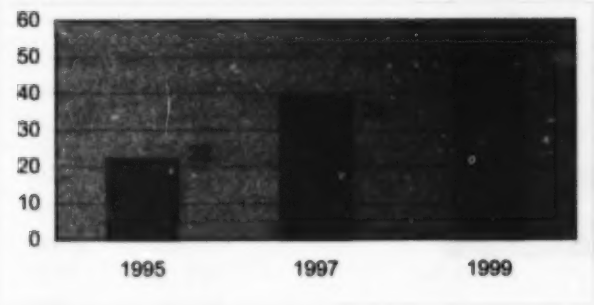


Chart 3: Use of drug

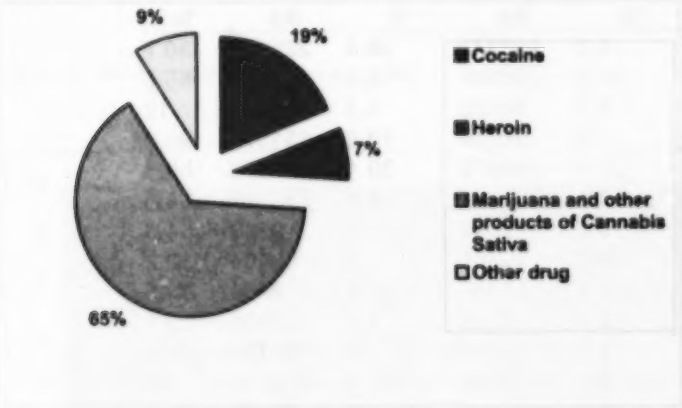
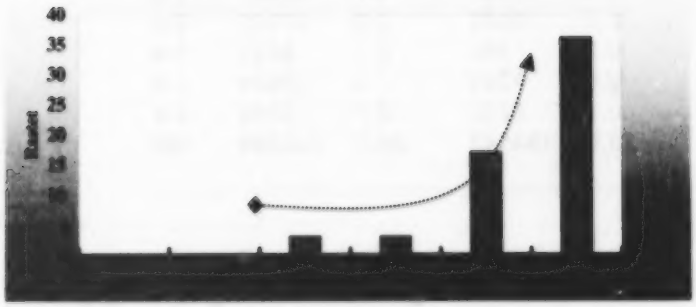


Chart 4: Syphilis 1993-1998



[17] Chart 2, 3 "Albanian Human Development Report 2000" — UNDP.

Chart 5: Gonorrhea 1981-1998

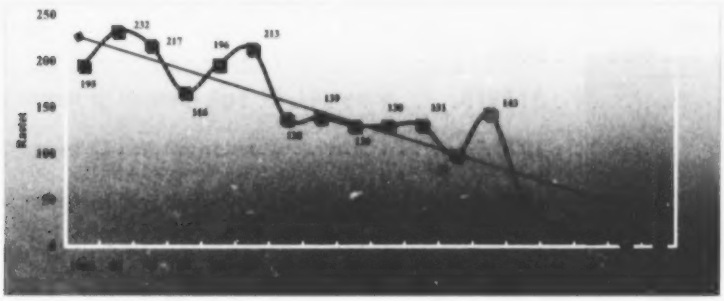


Table 31[18] *Distribution of households by possession of at least one durable good and zones*

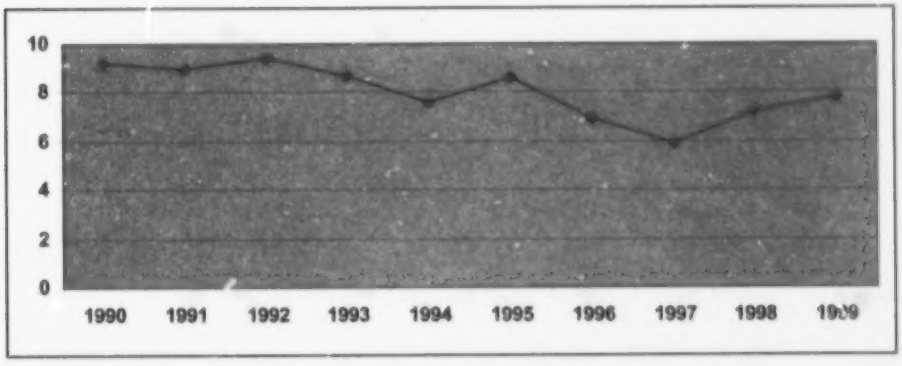
	Zone 1		Zone 2		Total	
	No	**%**	**No**	**%**	**No**	**%**
TV black-white	31767	4.3	193372	26.4	225139	30.7
TV colour	215170	29.3	265996	36.3	481166	65.6
Video	49432	6.7	38555	5.3	87987	12
Parabola	57473	7.8	94099	12.8	151572	20.6
Refrigerator	222887	30.4	286976	39.1	509863	69.5
Washing machine	169223	23.1	61361	8.4	230584	31.5
Dish washing	5703	0.8	3846	0.5	9549	1.3
Vacuum cleaner	68043	9.3	21361	2.9	89404	12.2
Cooking stove	174605	23.8	144326	19.7	318931	43.5
Microwave	13378	1.8	9282	1.3	22660	3.1
Electric heater	108960	14.9	73238	10	182198	24.9
Wood stove	69792	9.5	362870	49.5	432662	59
Heating gas stove	23498	3.2	15683	2.1	39181	5.3
Heating kerosene stove	18253	2.5	6619	0.9	24872	3.4
HI-FI	35362	4.8	32968	4.5	68330	9.3
Bicycle	62139	8.5	79615	10.9	141754	19.4
Motor car	7990	1.1	12397	1.7	20387	2.8
Car	27987	3.8	19025	2.6	47012	6.4
Personal computer	4771	0.7	850	0.1	5621	0.8
Second House	5655	0.8	7324	1	12979	1.8
Tractor	467	0.1	5298	0.7	5765	0.8
Total Households	**248276**	**33.9**	**484983**	**66.1**	**733259**	**100**

[18] "Results of Household Living Condition Survey — October 1998" — INSTAT, p. 61.

Table 32 [19] *: Marriages and divorces for the years 1990-1999*

Years	Marriages		Divorces	
	Total	per 1000 inhabitants	Total	per 1000 inhabitants
1990	28992	8.9	2675	9.2
1991	24853	7.6	2236	9
1992	26405	8.3	2480	9.4
1993	25963	8.2	2251	8.7
1994	27895	8.7	2108	7.6
1995	26989	8.3	2331	8.6
1996	27690	8.4	1901	6.9
1997	24122	7.3	1430	5.9
1998	27871	8.3	2005	7.2
1999	27254	8.1	2114	7.8

Chart 6 : Divorces per 100 marriages ratio



[19] "Social Indicators Yearbook" 2001 — INSTAT, p. 12.